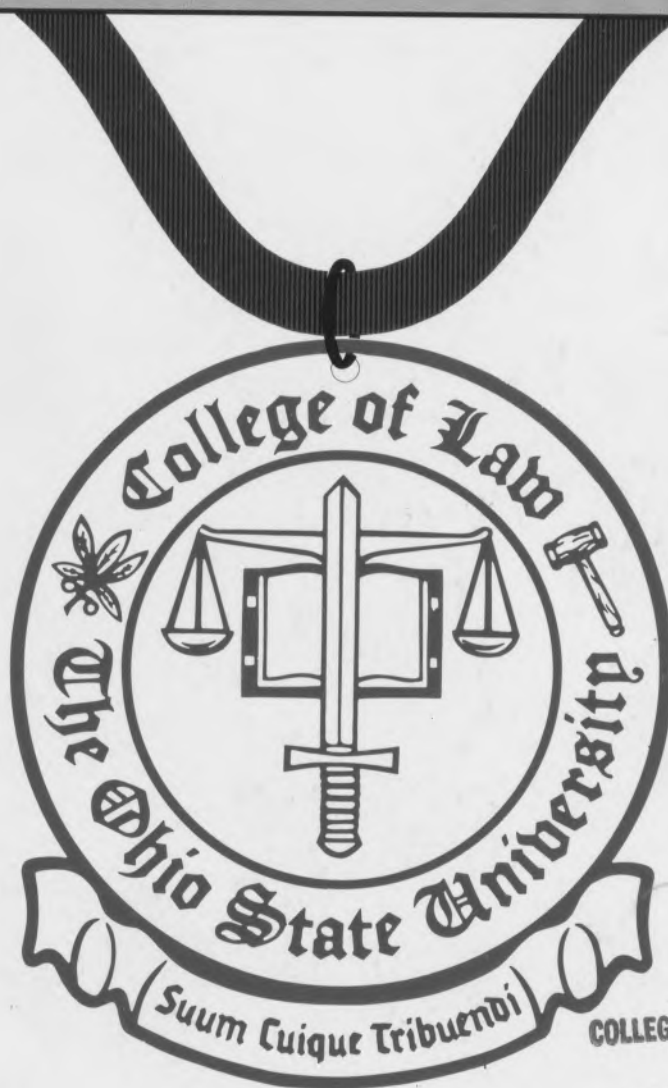


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# LAW RECORD

COLLEGE OF LAW ALUMNI ASSOCIATION

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OHIO STATE UNIVERSITY

## Alumni Receive Honors

# LAW RECORD

*OSU Law Record* is published by the College of Law, The Ohio State University, as part of its Alumni Services program.

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## About The Cover



Hon. William K. Thomas '35

The cover displays the College of Law Distinguished Alumnus Medallion presented this fall to Judge William K. Thomas, see story on page 5. Other awards to College alumni are reported in the story beginning on page 8.

## A CONVERSATION WITH DEAN BEYTAGH

**Q: You've been at Ohio State for five years now?**

A: Yes, that's correct. I suppose that means I'm not the "new" dean any more.

**Q: It doesn't seem that long.**

A: Probably not. This is a large and fairly complex enterprise, and things move pretty fast.

**Q: Any overall thoughts about those five years?**

A: Yes, although my perspective may not be the best, since I've obviously been very close to what's been going on. Still, we've seen significant change in a number of important respects, although much of it has been incremental. There has been dramatic success in the law school's first major private fundraising effort, with the help and support of some dedicated alums and staff. And we've attracted some high-quality new people to our faculty and staff, strengthened and diversified our student body, and developed or enhanced various programs. In general, we've been building on a solid base, but we're building an even stronger foundation for the 1990's and beyond.

**Q: That sounds good, but there must also be some problems, some weaknesses.**

A: Of course there are.

**Q: Such as—**

A: Well, within the law school, achieving the sort of community that will enable everyone—faculty, students and staff—to contribute importantly and to realize their full potential. We're making progress on this, I believe, but it's slow, and there are lots of forces pulling in various directions. Don't misunderstand me; dialogue, discussions, and differences of opinion, these are all valuable to any enterprise, but so is a collective sense of self, a willingness to look at and think about what's good for the long term, not the short haul. As I said, we've been moving in the right direction, but we still have some distance to go. Our strengths are evident; we need to keep pulling together to maximize the possibilities.

**Q: That's largely internal. What about the University, and generally the world outside the law school?**

A: What I see there, at least presently, is a mixed bag. The Centennial Campaign has gone better than almost any of us expected it would. When it's over,

in a year or so, our alumni and friends will have committed in excess of \$18 million to the College of Law—more funds, I think, than any other public law school will have raised over that period of time. Our building addition will be under construction, with the prospect of badly needed new space soon to become a reality. At the same time, we'll have more chairs and professorships, a more generously endowed scholarship program, several new academic ventures that will give us greater depth and distinctiveness, and enhanced financial support for our fine library.

**Q: Sounds pretty good to me.**

A: Well, it is good, of course, in a number of respects, and we're both grateful for the support and enthused about what it will permit us to do.

**Q: Still, you said you saw a "mixed bag," externally speaking, didn't you?**

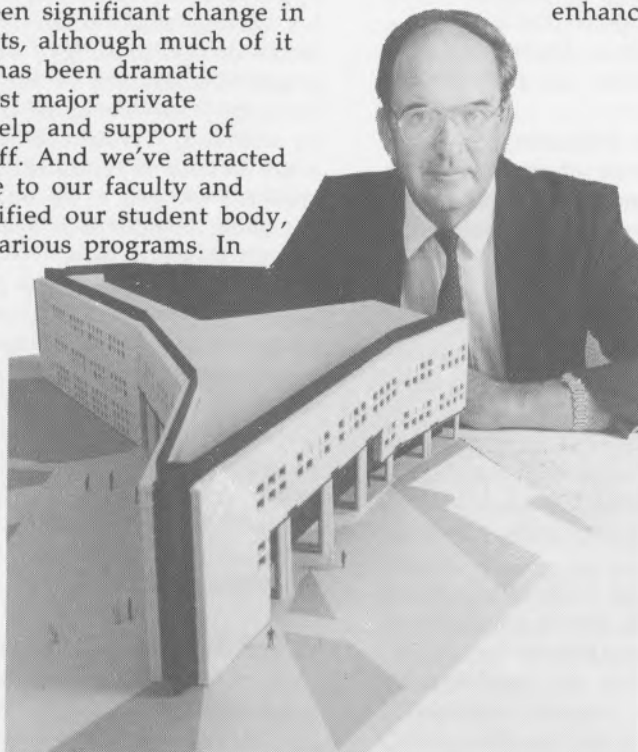
A: Yes, in several important areas—resources and respect.

We need better University-budgeted financial support to complement our successes in private fund raising. Sadly, the State of Ohio has not as yet committed itself to a top-flight system of public higher education, and, as an integral aspect of such a system, to support its flagship

institution—Ohio State—in the way it should be supported. Our tuition is too high to ensure access to all, and last session, when the General Assembly imposed a cap on undergraduate tuition increases, the University raised graduate-level tuition by approximately 15 percent. The law school hasn't benefitted, at least thus far, from such a substantial tuition increase. We continue to have pressing budgetary needs that go unmet from year to year, largely because the University is restricted in what it can do.

**Q: So resources are a limiting factor. What's this about respect?**

A: What I mean by that is rather simple. This is an excellent law school, one of the best public law schools in the country, on the basis of measurable criteria and by reputation. Yet our efforts to provide leadership in developing interdisciplinary and joint programs within the University are usually met with little interest or enthusiasm. No matter what our



Dean Francis X. Beytagh with model of Law Building Addition and Renovation Project.



talented faculty does, in the way of scholarship or service, it seems not to be enough, at least for some. We are more highly regarded in the company of other law schools than we are on our own campus. To my knowledge, there are no great universities, at least in this country, with law schools whose law schools are not also regarded as outstanding. That respect must be earned, of course, but it must start at home. Some lose sight of the value of a well-regarded law school to the entirety of a complex and comprehensive university such as Ohio State. Lawyers in our contemporary society—like it (and them) or not—have an effect disproportionate to their numbers on political and financial decisions. We'll keep trying to do our part, but others need to respond to and recognize what we're doing.

**Q: There are, of course, lots of differences between the role of a dean and that of a corporate CEO, but if you were able to change some things about the law school on your own, what would you do?**

**A:** To begin with, I sincerely believe in faculty governance, as it exists in American law schools. Strength and wisdom come more often from a collective sense of how to deal with basic issues than from the thinking of one individual. Still, I have been in legal education for two decades now, and a law school dean for 12 of those years, so it's natural for me to have some developed thoughts on what any good law school, and in particular ours, can and should do.

I would take a careful, thoughtful look at our basic J.D. curriculum. It's sound, I think, but it could still be improved upon. I would ensure that we adequately introduce our students to the legal system and to lawyering in the first year, and in particular focus on professional responsibility during that impressionable time in their careers. I would also return to a more structured curriculum, one with a larger number of required courses, especially in the second year. I would further ensure that some exposure to skills training is provided for all students before they graduate. And, finally, I would intensify our growing efforts in the international and comparative law fields. Lawyer literacy in the 21st century will require a better understanding of the legal systems of other countries, greater familiarity with multinational transactions, and an informed realization of how interdependent a world we live in.

Next, I would ask, what else can and should we seek to do, in terms of our academic programs. I would start by assuming that we can't, indeed shouldn't, attempt to do everything. Limited resources and the need for depth and distinction in what we do choose to do argue against that. We should develop several areas of concentration and emphasis, I believe, that build on existing strengths among our faculty and in our institutional history,

and seek preeminence in those respects. For example, we are already embarked on one such effort, with our socio-legal studies center, in conjunction with other departments of the University and working cooperatively with Oxford University. Another such center, loosely described as being in the area of law and finance, and probably encompassing a modest-sized LL.M. program as well, will soon be taking shape.

In addition, our involvement with and commitment to alternative methods of dispute resolution provides another such example. There will be more such opportunities, some we should embrace and others, for various reasons, we should choose to forego. In terms of methodology, we should keep striving for a greater integration of the approaches used in skills training with the more traditional classroom styles. In addition, I would simplify our grading system to some extent. It tends to be confusing to our own students as well as to outsiders. We can accomplish the same objectives it seeks to in a more straightforward way.

Finally, we should be a *public* law school in every sense of that phrase. A number of our faculty currently render valuable service to the public, and several student-operated programs do so as well. But we need to do more in this regard. We should develop closer ties with State government, involve ourselves more extensively in public education about law and the legal system, and, more generally, reach out and touch more people in ways that will assist them in understanding and dealing with the legal system more effectively.

**Q: That's a rather weighty agenda, isn't it?**

**A:** Not really. We can't, and won't, do everything overnight, but we need to have a sense of direction, and to proceed according to it. We need to think long and hard about the future, and, while being somewhat skeptical about visionaries, have a vision of that future and the role we can and should play in it, and in bringing it about. We should seek to shape as well as react to change—in legal education and more broadly. Educational institutions are typically averse to risk-taking, as, for the most part, is the legal profession. We tend first to look backward, and then assume that the future will flow more or less logically from the past. That's often the soundest and most sensible course, but not always. We also need to lead, and to be willing to take risks in doing so. Academic freedom, properly understood, protects not only the individual teacher and scholar, but also the institution and what it does, from improper external influences. We should, as universities, be willing to seek to lead in certain societal directions. And, as law schools, we should actively address the deficiencies in the legal system—through scholarship and service—and attempt to provide constructive solutions for them. This may result in some periodic tension between the



profession and the academy, but all of us would gain in the end.

Let me mention two stories, seemingly unrelated, that make the essential point. Mother Teresa, when contacted by someone who sought to join her in her work, reportedly said (gently, I assume), "It would be better for you to find your own Calcutta." We can learn from others, but not imitate simply to be like others. We should, in our own way, be building our own Calcutta. In a not dissimilar vein, President Jennings, when asked a few years ago if Ohio State was "keeping up with the Joneses" by constructing the new athletic practice facility, said, "No, we *are* the Joneses." That same sort of maturity and self-assurance about our century-old law school, different from arrogance or conceit, are vital for our future.

For generations Ohio State law graduates have distinguished themselves in public service to the State and the nation, in private law practice and in business. Ohio State law faculty have for years been leaders in American legal education; three of them have been presidents of the Association of American Law Schools, and many have authored casebooks and texts used throughout the country. We should be proudly aware of this past, poised about the present and confident about our leadership role among law schools in the future.

**Q: I understand that President Jennings has announced his resignation, is that correct?**

A: Yes, effective next summer.

**Q: What effect do you see this having on the College of Law?**

A: Ed Jennings has been a dynamic and effective leader for the University for the past nine years. It's a very demanding job, one that takes its toll. So his leaving the presidency shouldn't come as a great surprise, although the timing of the announcement was unexpected. Jennings has, on the whole, been friendly toward and supportive of the law school. So we'll miss him, as will the entire institution.

At the same time, our new Provost, Fred Hutchinson, is an able person who'll provide stability during the transition between Jennings and his successor. A presidential search is always a time of uncertainty for a university. But the job should be an attractive one to lots of capable and experienced people. There's no reason to assume that the search committee won't do a good job. And no reason, so far as I can tell, for the new president to be anything but interested in and supportive of a top-quality law school.

**Q: Any thoughts about the role of our law alumni?**

A: Of course. I'd start by saying that we have a dedicated, supportive alumni group that is one of the law school's most important assets. The Law Alumni Association's National Council plays a useful role as

an advising body and serves as the focal point for private fundraising. But we need to diversify and expand our involvements with our graduates. Of the almost 7,000 living law alumni, over 2,000 live outside the State of Ohio. We need to reach out more effectively to them, through regional alumni groups we are forming—initially in New York City, Chicago and Washington. And, in Ohio, we need to do the same sort of thing in the major metropolitan areas other than our home base in Columbus. That's already underway in Cleveland and Toledo.

In addition, we need to enhance our placement network; groups such as I've mentioned will help greatly in this. And we need to revitalize our system of class representatives, so that the contact points with each alum are several and include the active involvement of fellow classmates. Finally, we need to communicate more effectively with our graduates and friends. We're working on this, and improving, I think, but it takes time and effort. We need to tell the law school's story more convincingly, so that others will understand and repeat it.

**Q: What are the most frustrating—and the most satisfying—things about your job?**

A: Well, it's easier to identify a number of things that aren't very satisfying. I sign my name frequently, go to lots of meetings (some of which are necessary), say "no" too often, and seem constantly to be asking people for money. But these sorts of things come with the turf, such as it is, I guess. Maybe they're among the reasons why the average tenure of a law school dean is currently between three and four years. The demands on one's time are considerable, and the various constituencies that must be addressed, in a number of ways, often pull one in differing directions. Ohio State is a massive place. Getting things done here, efficiently and expeditiously, isn't easy. It requires a good political sense and an understanding of how bureaucracies operate. You need to know when to stay the course, and when to respond to new ideas—and how to lead, not as a military person might, but as a symphony conductor seeks to do.

When all is said and done, I enjoy dealing with people and with ideas. They're both combined in a unique sort of way in an educational institution. One of the most important things a dean does is to attempt to ensure that each person hired brings not only quality, but something new and different with him or her. And that those persons are nurtured and, when necessary, prodded a bit. Students often tell me that law school is difficult. I say, in reply, that's what we want it to be, and if it were anything else, we'd be cheating them. Law is complex and the world into which our graduates go is a difficult place. They represent a new generation of leaders for the legal system, just as our younger faculty will provide leadership in legal education in another decade or two. I enjoy seeing these people grow,

and, along with my responsibility to seek and provide sufficient resources for the enterprise, I think that what I do to facilitate this process is both significant and satisfying. I do a lot of bar-related work, and am involved with legal education across the country in several ways. It's part of my job, I believe, but also something worthwhile doing.

I also try to stay in touch with my own interests, especially constitutional law, and do some occasional scholarship. I wish there were more time for that, and for teaching, which I miss very much. I enjoy it, and the close contact with a cross-section of the student body that goes along with it. But I simply don't have the time to do it, and do it well. Finally, I value creativity very highly. There is unfortunately little opportunity, as an administrator, for doing much that is creative—except indirectly and vicariously, through others. I wish that were not the case.

**Q: How much longer do you expect to be dean here at Ohio State?**

A: I haven't ducked a question yet, have I? But I think I'll pass on that one, for I really don't know. I'd certainly like to see the building addition completed and dedicated, we hope in 1992. And see some other programs and projects moving forward. And then take a look, and see what else might make sense. There tends to be a time to go, for everyone,



Thomas Cavendish '53, the 1988 College of Law Distinguished Alumnus, with fellow National Council member Betsey Case '68.

and, if you're in tune with the institution and in touch with what's going on, and with yourself, that sort of thing usually takes care of itself. Whatever, I want to be doing something worth doing, something I believe in, as long as I'm around. For now, at least, the deanship continues to provide that sort of situation.

**Q: I appreciate your candor.**

A: And I your thoughtful questions. Let's work together for a good 1990, and for a decade of accomplishment for the College of Law in the 1990s.

## ADMISSIONS TRENDS

by John P. Henderson Associate Dean for Student Affairs



Associate Dean Henderson

### The Entering Class of 1992

One of the largest pools of applicants (1713) in the history of the College sought admission to this year's entering class of 211. With 98

different undergraduate institutions and 48 different majors represented, they bring strong academic credentials and diverse backgrounds to the study of law. Once the admissions process was completed and the statistics were compiled, the median LSAT score was a 37 and the median undergraduate G.P.A. was a 3.44.

Although most have ties to Ohio, the Class of 1992 hails from 23 different states, the District of Columbia, the Republic of China and the People's Republic of China. The average age is 24, although the median age is still 22; the range is from 19 to 52. Forty-seven percent of this year's class is composed of women; eighteen percent identify themselves as members of a minority group.

Typically, more members of an

entering class earn their undergraduate degrees from Ohio State than any other college or university, and the Class of 1992 is no exception. Nonetheless, graduates of Miami (Ohio), the University of Michigan, Northwestern, Notre Dame, Indiana University and Kent State are also well represented.

At this writing, it is a little too early to know about 1990; however, applications to the College are running ahead of the corresponding date in 1989. Officials from the Law School Admissions Council inform us that requests for Law School Data Assembly Service reports, which include an applicant's transcript and LSAT score, are up 45 percent nationwide from last year. Another banner year for Ohio State may be in store.

## THOMAS RECEIVES DISTINGUISHED ALUMNUS AWARD

**F**riday, September 15, 1989 is a day that will long live in the memory of **Judge William K. Thomas '35**. On that date, Judge Thomas was given the very highest honor The Ohio State University College of Law can bestow on one of its graduates—that of Distinguished Alumnus. One of only thirteen such honorees, Judge Thomas joined the venerable ranks of: **Isadore Topper '29**, **Clarence D. Laylin '63**, **Thomas F. Patton '26**, **C. William O'Neill '42**, **Roger Smith '40**, **John W. Bricker '39**, **Donald Clinton Power '26**, **Charles Clifford Callahan '34**, **William M. McCulloch '25**, **J. Paul McNamara '32**, **J. Gilbert Reese '52** and **Thomas E. Cavendish '53**.

The history of the award dates back to the 1960s, when alumni leadership was mobilized to assist the College in its advancement efforts. It was acknowledged that alumni play an essential role in providing valuable leadership for the support of the College's academic mission and by enhancing the reputation of the College through distinguished professional service and achievement. In recognition of distinguished service and valued leadership to the profession and the University, the College of Law Alumni Association established the "Distinguished Alumnus Award" to be given whenever considered appropriate to an alumnus whose professional and public service contributions meet the criteria of this most prestigious award.

There is no doubt that Judge William K. Thomas represents the very essence of a "Distinguished Alumnus." The award was made "[i]n appreciation of his extraordinary service to the Ohio and federal judiciary for over thirty-nine years, for his exemplary personal commitment to the highest standards of ethics in the administration of justice, for



Judge Thomas, Dean Beytagh and Robert M. Duncan '52

his tireless efforts to serve the public good, and for his loyal support of The Ohio State University and its College of Law."

A *cum laude* graduate of the College in 1935, Judge Thomas worked as a trial attorney with several Cleveland law firms from 1935 to 1950. In 1950, he was appointed to the Geauga County Common Pleas bench by Governor Lausche as the best person to clean up illegal gambling. The closing of the notorious Pettibone Club affirmed the confidence placed in Judge Thomas. In 1953, he moved to the Cuyahoga County Common Pleas bench, where he remained until President Johnson appointed him to the United States District Court in 1966. He was ranked by Cleveland lawyers the best common pleas trial judge and, in 1980, as the best federal district judge; in 1983, he was chosen the best federal district judge in the Sixth Circuit by *The American Lawyer*, which quoted a former chair of the state judicial screening committee as saying, "Thomas is one of the outstanding judges in the country....He's an absolutely ideal judge in terms of temperament and scholarship. He's scrupulously fair, very quick and very careful."

Presenting the award to Judge Thomas were **Dean Francis X. Beytagh** and **Robert M. Duncan**

**'52**, chair of the National Council of the Law Alumni Association, former Judge of the United States District Court for the Southern District of Ohio and partner of Jones, Day, Reavis & Pogue. Other participants in the presentation were **The Honorable David A. Nelson**, Judge of the United States Court of Appeals for the Sixth Circuit, and **Julia Anne Davis '85**, a former law clerk to Judge Thomas now an associate with Schwartz, Kelm, Warren & Rubenstein of Columbus. Sharing the award with Judge Thomas was his wife Dorothy, three of their four children, and other family and friends.

All of the speakers waxed rhapsodic about their experiences with the newest Distinguished Alumnus. Of Thomas, Judge Nelson remarked, "In terms of temperament, scholarship, industry and evenhandedness, Judge Thomas is the ideal judge. Had he lived in the 14th Century and pursued a slightly different line of work, he could have been the very model for the knight in Chaucer's *Canterbury Tales*—for William Thomas truly is a 'very perfect gentle (judge)'" The College of Law could not agree more.



"In terms of temperament, scholarship, industry and evenhandedness, Judge Thomas is the ideal judge," Judge Nelson remarks.



Duncan continued with praise for his former colleague on the federal court bench. "Certainly, Judge Thomas is one of the most outstanding trial judges in the entire federal court system. However, with all of his honors and successes in public office, he has maintained a delightful sense of collegiality and commonality."



According to Robert Duncan, "Certainly, Judge Thomas is one of the most outstanding trial judges in the entire federal court system."

"Since the time he worked as a law student to establish the *Ohio State Law Journal*, Judge Thomas has continued his active support of the College of Law. Even with the extraordinary pressures of his position, he has always found time to participate in the affairs of the law school," acclaimed Duncan.

As Judge Thomas's law clerk for one year, "I learned that real law is not found in books but is shaped in the courtroom. It is people and lawyers who make the law, and ultimately, a judge who allows it to be made....I have also learned that not all judges extend courtesy as uniformly as does Judge Thomas," observed Davis. Her praise may be best summarized in the following statement: "It was perhaps the greatest lesson of all that this Judge, who had sat on the bench for so many years, had never become blasé about what I think he feels is the court's most significant function: facilitating the jury's mission to find the facts. Judge Thomas's excitement was always contagious, and I hope that



Judge Thomas makes acceptance remarks.

like he I never lose that enthusiasm for the law."

Judge Thomas graciously accepted the Distinguished Alumnus citation and medallion. The following is an excerpt of his remarks:

"When I could not get a journalism job in the depression year of 1932, I went to law school. In the years 1933 to 1935 we, the students, were pioneering. I quote a headline and first paragraph from a *Lantern* article: 'Law Students Plan Legal Aid for City's Poor. The University Bar Association will give free legal aid to indigent persons, William K. Thomas, L-2, president, has announced.'



Judge Thomas's law clerk for one year, Julia Davis found that, "Judge Thomas's excitement was always contagious, and I hope that like he I never lose that enthusiasm for the law."

"Law students petitioned, and got, a three dollar increase in tuition to help finance a *Law Journal*. Dean H.W. Arant received this letter dated January 19, 1935, from the Chairman of The Ohio State University Board of Trustees:

*My dear Dean Arant:*

I am delighted to receive Number 1 of Volume 1 of the *Law Journal* of Ohio State University. The law school journals of the country have a very distinct place not only in the education of better lawyers, but in the hands of the profession itself, and I have long felt that our University Law School ought to do what you have now done.

With warm congratulations, believe me.

Cordially yours,

Newton D. Baker

"In my senior year my interest in organized labor prompted Professor Robert Mathews to select for me a labor law curriculum. I pursued it. That led to my looking for employment with a law firm that did some labor work. I was hired by Harrison and Marshman, a Cleveland trial law firm. In June, 1946, Marvin Harrison, myself, Craig Spangenberg and Allan Hull, formed the law firm of Harrison, Thomas, Spangenberg & Hull.

"I tried a jury case in Clark County Common Pleas Court in the late forties. I represented a woman who suffered a spiral leg fracture in a fall from a step ladder in a cold storage locker. From my client's recollection of the ladder, I drafted and filed her

petition. Later, I bought a duplicate ladder. I then realized the fall could not have occurred as described in the petition. I filed an amended petition, adding that it was the collapse of a top platform that caused the plaintiff's fall.

"In my opening jury argument, I tried to make the point that my client's twisted leg was all due to the collapse of defendant's step ladder. I quoted from *The Rubaiyat*:

The Moving Finger writes; and having writ,  
Moves on: Nor all thy Piety nor Wit  
Shall lure it back to cancel half a line  
Nor all thy Tears wash out a Word of it.

"In his closing, defense counsel Bitner Browne threw the words back at me. He read the original petition as to how the plaintiff said her fall occurred, and told the jury the plaintiff couldn't 'cancel half a line' nor could tears 'wash out a word of it.' As the jury retired to deliberate, I heard a farmer juror say 'I'd break my leg ever day for \$35,000.' Defense verdict.

"Looking back on one's life, one may wish some things were done differently. But, you can't 'cancel half a line' nor can your 'tears wash out a word of it.'

"In May, 1950 I was trying an insurance license revocation matter in the State House when I happened to meet Governor Frank Lausche. He said, 'Bill, I have to appoint a common pleas judge in Geauga County. I have learned you live in the county.' That led to the Governor's offering me the appointment.

"I wouldn't cancel half a line of my decision to become a trial judge. In accepting this award, I see it as recognition that each trial judge upholds the rule of law when he or she dedicates himself or herself to providing justice day in, day out.

"Doing that produces deep personal satisfactions. This is so, even if, at times, the judge thinks longingly of the money he or she believes he or she could make practicing law. It comes to a trial judge who has fairly piloted a tough criminal trial to verdict. It is felt when, free from the adversary's yoke of self-interest, a trial judge has resolved alone, or with a jury, or by a reasonable compromise, a hotly contested civil suit.

"A law school professor needs that same freedom from an adversary's self interest to be a dedicated teacher. Our faculty is dedicated and strong. A strong faculty needs a dean with

foresight, and a sure hand on the tiller. Dean Beytagh is that kind of a dean. If it is to survive, a law school must reach out to its alumni with services and imaginative programming. Dean Murphy provides all of that. A law school depends on its alumni for guidance and financial support. Our

alumni supply both, but we can do more.

"I am grateful to the Alumni Association, the National Council and the law school, for conferring this award on me. It means a great deal to me. This is our brother John's law school, as well as my own."



Three of the College of Law's Distinguished Alumni. Left to right: J. Paul McNamara '32, Judge Thomas and J. Gilbert Reese '52.

### Celebration Continued in Cleveland

The demands of law practice being what they are, many alumni and friends who wanted to share Judge Thomas's special award with him were unable to attend the Annual Return luncheon on September 15. As a result, the College of Law, with the assistance of the Cleveland Regional Alumni Office, planned a second celebration. November 28 found many more of Judge Thomas's admirers at the City Club in Cleveland. Speaking on behalf of Judge Thomas as recipient of the Distinguished Alumnus Award were Dean Francis X. Beytagh, Robert M. Duncan and **John D. Drinko '44**, long-time friend and



John D. Drinko '44 addresses attendees of Cleveland luncheon.

senior advisor to the policy committee of the Baker & Hostetler law firm. Colleagues from the federal bench also joined Judge Thomas for this special recognition.

Congratulations, Judge Thomas, from all of us.

## ALUMNI EARN KUDOS

While most schools would be thrilled to have one of their alumni receiving a prestigious award, five College of Law graduates have been recognized for their outstanding achievements in the past few months. The honorees include **Robert J. Watkins '53**, **James E. Chapman '54**, **Noel F. George '32**, **Stuart A. Summit '59**, and **Josiah H. Blackmore '62**.

### Robert J. Watkins

The Ralph Davenport Mershon Alumni Award is given by The Ohio State University Alumni Association to Ohio State alumni who have provided sustained leadership of exceptional quality and a generous contribution of time and talent to The Ohio State University. Having spent more than half of his life in volunteer work of various types for Ohio State, he certainly was qualified on all counts to receive the



Robert J. Watkins '53

Mershon Award in a ceremony on October 20. "She (Ohio State) is like an old, dear friend to whom more is owed than can ever be repaid," he remarked.

A 1951 graduate with a B.A. in history, Watkins went on to earn his J.D. degree from the University in 1953. He currently is a partner with Porter, Wright,

Morris & Arthur in Cincinnati. He joined the firm after more than 30 years of legal service to Procter & Gamble.

Watkins has been a member and leader of the Ohio State Alumni Club of Greater Cincinnati for more than 30 years. He has been a director for 25 years and served as president three times. In recognition of his loyal service, Cincinnati Alumni Club friends established a scholarship in his name at the College of Law. The presentation was made in Cincinnati at a September 7 Presidents Club Dinner at the Peterloon Estate.

### James E. Chapman

Since his *summa cum laude* graduation from the College of Law in 1954, James Chapman has accumulated a distinguished record of volunteer service to the University. Over the last three decades, he has maintained a strong relationship with the College, providing valuable counsel to Deans, faculty, and staff on the direction of the law school. In addition to fundraising activities, he has served on the executive committee of The Presidents Club and is an active member of the Ohio State Alumni Club of Cleveland.



James E. Chapman '54



James Chapman displays Everett D. Reese Medal with President Edward Jennings.

On November 3, Chapman was awarded the Everett D. Reese Medal, an award established in 1984 by The Ohio State University to honor individuals for exceptional service to the university's fund raising programs. The Reese Medal is named for Everett D. Reese, retired chairman of the board of City National Bank (now Bank One of Columbus) and Park National Bank of Newark. An Ohio State alumnus, Reese was one of the founders of The Presidents Club.

Chapman received the award at the annual Presidents Council Dinner, held at the Wexner Center for the Visual Arts. A partner in the Cleveland office of Baker and Hostetler, Chapman has served for three years as the volunteer chair of The Ohio State University Campaign's regional effort in Cleveland. He has been an important leader in the success of the record-breaking Ohio State University Campaign as a member of the National Campaign Steering Committee, and has taken the lead in enhancing the image of and support for the University in the Cleveland area.

In further recognition of his long and untiring service on behalf of The Ohio State University, Chapman was presented the Distinguished Service Award by the Board of Trustees at the Autumn Commencement held in December.



### Noel F. George

Noel George was honored by The Ohio State University Board of Trustees for his extraordinary loyalty and support with the bestowal of the Distinguished Service Award this fall.



Noel F. George '32

Regretfully, ill health and his ultimate death on December 14, 1989, did not allow the opportunity for public recognition. But those who knew Noel George understand that public honors were not the style of this quiet, steadfast Ohio State supporter. Over the last two decades, his generosity has established two endowed chairs in the College of Medicine, from which two of his sons were graduated, and endowments at the College of Law which will support the establishment of a chair and an endowed fund to benefit the addition to and renovation of the Law Building.

Noel George received both his undergraduate and law degrees from The Ohio State University. His early practice with the Public Utilities Commission began a distinguished law career as a lawyer specializing in the motor freight industry. He organized the firm of George, Greek, King & McConnaughey, which today is merged with Baker & Hostetler.

The University and the College of Law have lost a friend extraordinaire.

### Stuart A. Summit

To honor Stuart Summit's long-standing commitment to excellence and his dedication to Ohio State, The Ohio State University Board of Trustees presented him with the Distinguished Service Award at Autumn 1989 Commencement. He was a past recipient of the Ralph Davenport Merzhon Award from The Ohio State University Alumni Association in recognition of his special leadership as a member and chair of the Alumni Advisory Council. He currently serves on the National Campaign Steering Committee and the College of Law Centennial Campaign Committee. He has also been an active member of the executive committee of The Presidents Club and of the Development Fund Board.

A member of the National Council of the College of Law since 1969, he was elected president of the College's Alumni Association in 1978. Summit is a



Stuart A. Summit '59

principal partner and head of litigation with the New York City law firm of Summit, Rovins & Feldesman and contributes to many professional and public service programs. A native of Canton, Ohio, Summit received both his undergraduate and graduate degrees from Ohio State.



Josiah H. Blackmore '62

### Josiah H. Blackmore II

A 1956 alumnus of Miami University, Blackmore returned to his *alma mater* in August to receive the honorary degree of Doctor of Humane Letters. As reported in an earlier issue of the *Law Record*, the 1962 College of Law graduate was named president of Capital University in Columbus, Ohio in February 1988. Before that, he had served as interim president of the university and professor and dean of Capital's law school.

The citation he was given that day captures many of Josiah Blackmore's qualities. "Throughout your busy life you have been equally as concerned with seeking knowledge as giving knowledge, in exploring the ways of our pioneers and drawing upon the strengths of the past. This love of history completes the definition of a Renaissance man, an individual of rare productivity in his profession, devoted passionately to the pursuit of learning."

Our warmest congratulations to all! You have brought honor to yourself and to your law school.

## NEW DIMENSIONS IN CLE PROGRAMMING: INTERDISCIPLINARY AND FLEXIBLE SCHEDULING

In 1988, the Supreme Court of Ohio promulgated rules requiring all attorneys licensed to practice law in Ohio to take 12 hours of Continuing Legal Education (CLE) programming each year. While the College of Law has historically offered educational seminars for the benefit of the bench and bar, we have redoubled our efforts to assist lawyers in meeting these requirements with interesting, informative topics.

### Alumni Annual Return

After the Alumni Annual Return Luncheon during which **Judge William K. Thomas '35** received the Ohio State College of Law Distinguished Alumnus Award (see story on page 5), a crowd of well over 100 returned to the classroom for two segments of Continuing Legal Education programming.

The first seminar covered recent United States Supreme Court cases over a range of constitutional law topics, including affirmative action, drug testing in the workplace, abortion, flag burning and the First Amendment, and the new Court majority. Moderated by **Dean Francis X. Beytagh**, the presenters were College of Law faculty members **Louis A. Jacobs**, **L. Camille Hébert**, **Stanley K. Laughlin, Jr. '60**, and **Barbara Rook Snyder**.

In an effort to accommodate many requests from our alumni, the second session was on "Legal Ethics and Substance Abuse." Presented by **Charles W. Kettlewell '71**, nationally-respected specialist in the area of legal ethics and disciplinary proceedings and Adjunct Professor of Legal Ethics at the College of Law, the course was specifically designed to meet the two hours of ethics education required by the new

Ohio Supreme Court rules. Topics ranged from legal service advertising to proper disbursement of clients' funds.

### Drug Testing Conference

The College of Law and the Council of Ohio Colleges of Pharmacy co-sponsored this continuing education conference on "The Many Dimensions of Drug Testing in the Workplace." Geared toward the legal and health professions and human resource managers, the keynote address was given by **Robert E. Moffit, Ph.D.**, former Principal Deputy Assistant Secretary for Legislation in the Department of Health and Human Services, who discussed the genesis of the federal drug testing policy.

Other presenters included two representatives from the College of Law. Faculty members **L. Camille Hébert** and **Louis A. Jacobs** discussed two related topics. Professor Hébert spoke about the legal implications involved in protecting employees' privacy interests regarding private sector drug testing, while Professor Jacobs explained the constitutional protections afforded public sector workers.



Professor Jacobs speaks to alumni at Annual Return Afternoon CLE Program.



Robert E. Moffit, Ph.D., and Professor Hébert

### Faculty Involved In Other Programs

The involvement of our faculty in Continuing Legal Education goes well beyond the programs mentioned above. In response to the increased demand for programming, the University Office of Continuing Education and the College of Law have cooperated in developing sixteen new courses for CLE credit. College of Law faculty and instructors involved in teaching the courses include: **Michael Braunstein**, **Sheldon W. Halpern**, **Alan Holoch**, **Louis A. Jacobs**, **Carol J. King '79**, **Nancy Hardin Rogers**, **Gregory M. Travalio**, **David Williams, II** and **Charles E. Wilson**. Many of our alumni will be instructors as well.

The course offerings have been devised to augment programming available through other CLE sources and seek to broaden attorneys' available CLE choices. In addition, several have been designed as "short courses," meeting one evening a week for several weeks. This format provides attorneys with an opportunity to receive in-depth information on a given topic without missing time in the office.

## COLLEGE HOSTS NIDR CONFERENCE

**A**lthough the students were on their fall break, the halls of the College of Law were bustling with activity on October 16. The National Institute for Dispute Resolution (NIDR), the Governor's Peace and Conflict Management Commission, the Supreme Court Committee on Dispute Resolution, and the Ohio State Bar Foundation jointly sponsored a conference on alternative methods of dispute resolution. Designed to focus on the new legislatively-created Ohio Dispute Resolution and Conflict Management Commission, the meeting attracted over 140 judges, mediation program administrators and other participants to its morning and afternoon sessions. Since **Professor Nancy H. Rogers** served as Co-Chair of the Governor's Commission recommending the legislation, the College of Law served as host to the conference.



Professor Rogers, Dr. Deborah R. Hensler, Director of Research for RAND Corporation's Institute for Civil Justice, and Judge Gladys Kessler, head of Multi-door Courthouse Program of District of Columbia Superior Court

The introduction to the day's events was given by **David A. Ward '58**, Chair of the Supreme Court Committee on Dispute Resolution. Following his remarks, the opening plenary session dealt with models for school, court, community and public policy dispute resolution programs.



Justice Thomas Moyer '64 moderates opening plenary session.

Moderated by the **Honorable Thomas J. Moyer '64**, Chief Justice of the Supreme Court of Ohio, the panel included: **William R. Drake**, Vice President of NIDR; **Dr. Deborah R. Hensler**, Director of Research for the RAND Corporation's Institute for Civil Justice; **John Richardson**, Counselor of the United States Institute of Peace and a former Assistant U. S. Secretary of State; and **Edith Primm**, Executive Director of the Justice Center of Atlanta.

The purpose of the new Commission was discussed by its primary drafter, **William K. Weisenberg**, Government Affairs Director for the Ohio State Bar Association. Speakers throughout the day made suggestions for its tasks. The new agency is directed to assist courts, schools and others in the provision of dispute resolution services.

Dr. Hensler of RAND emphasized the importance of addressing program evaluation early in the planning process, so that results before and after the innovation could be compared. **David O'Connor**, executive director of the Massachusetts Mediation Program, spoke on mediation skills training. Judge

Kessler described the "multi-door courthouse" project she directs in the District of Columbia Superior Court.

"The strong support for conflict resolution programs by the Governor and Chief Justice, and the substantial appropriation by the legislature, provide a unique opportunity for those serving on and working with the new Commission," observed Professor Rogers. Ohioans certainly look forward to the results.

### Bar Results Impressive

The College of Law is pleased to notify its alumni that the graduates once again excelled on the July 1989 Ohio bar exam. Ohio State's passing rate of 95.1 percent was the highest among the nine law schools in Ohio. The overall pass rate was 88.3%; Cincinnati's pass rate was second, at 93.7%, and Case Western's was third, at 92.4%. Sincere congratulations to all who passed and to all who helped prepare our graduates for their fine performance.



## CAMPAIGN NEARS GOAL

**W**ith less than six months remaining in the Centennial Challenge, gifts and commitments to the Law Building Addition and Renovation project approximate \$7 million. To complete the private funding goal of \$7.7 million for the building, an additional \$700,000 in gifts and pledges must be received by June 30, 1990. When the Centennial Challenge is met, the College of Law will also qualify for the \$750,000 grant conditionally promised last year by The Kresge Foundation of Troy, Michigan. "Meeting the dollar goal is our first priority, of course," said **Thomas E. Cavendish '53**, campaign co-chair, "but we also seek to increase participation of alumni. We expect the challenge gift to help us achieve our secondary goal of at least 50 percent of our graduates giving to the campaign."

The Law Centennial Campaign, launched in 1986, has a total goal of \$12.7 million to enrich many aspects of legal education at Ohio State. The cornerstone of this effort is the Law Building Addition and Renovation project, which will add over 90,000 square feet of critically needed library, office and activity space.

The Law Building, built by 1960 for 350 students and 15 faculty members, is now serving more than 600 students and 37 full-time faculty members. The number of activities and organizations has increased similarly, and the Law Library has grown from 200,000 volumes to nearly 550,000, making it one of the largest collections of legal materials in the country. Two-thirds of the new space is designated for the Law Library. The addition will also provide improved facilities for the clinical programs, student organizations, the two law journals, faculty, alumni relations, placement, and continuing legal education. Space will become available for two new programs—the Socio-Legal Research Center, in cooperation with Oxford University, and the proposed Banking and Financial Institutions Center.

The Centennial Challenge gift is conditioned on the occurrence of certain events, most importantly the pledging of \$1.5 million by alumni and friends not later than June 30, 1990. All new or increased commitments qualify for the challenge funds. Payments on new or increased gifts may be made through December 31, 1992.

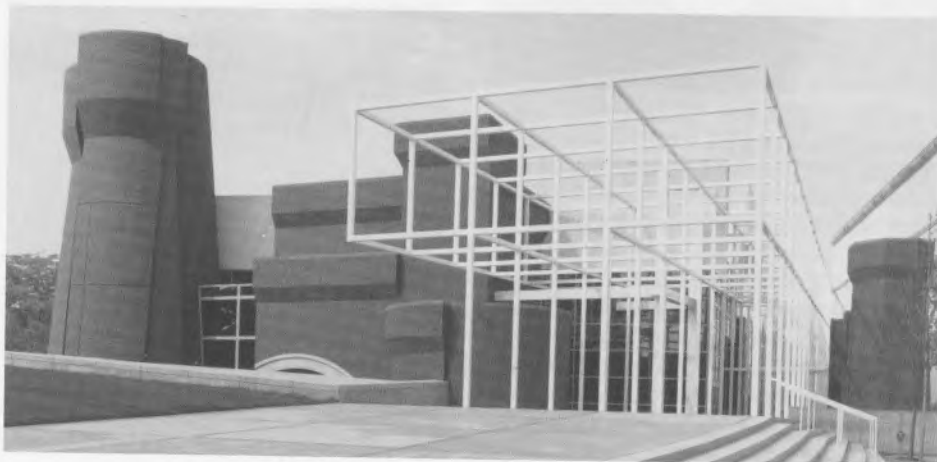
The building project will be made possible by a partnership of private gifts and public and/or University monies totalling at least \$16 million. The University will seek the matching money for this project from the General Assembly as part of the capital appropriation bill to be passed in either late winter or early spring.

"Our work with the architects has gone very well," said **Dean Francis X. Beytagh**. "They are ready to begin the final drawings which will allow us to seek bids for construction of the project this spring or summer. If things go according to schedule, we should be able to break ground in the early fall, hopefully on the weekend of one of the early home football games. I am hoping it will be September 29, when Ohio State hosts Southern Cal."

A limited number of naming opportunities, for rooms and other spaces, remains within the Law Building. Individuals and law firms interested in receiving such recognition for gifts to the campaign are encouraged to contact the Development Office of the College of Law, 106A Law Building, 1659 North High Street, Columbus, Ohio 43210 or call (614)292-0601.

## WEXNER CENTER OPENS DOORS

**T**he much anticipated opening of the Wexner Center for the Visual Arts brought an excitement to Ohio State unparalleled in recent years. The Center was named in honor of the father of its major benefactor, Leslie Wexner, a 1959 Ohio State graduate and founder, president and chairman of the board of The Limited. The Center puts The Ohio State University in the forefront of the arts world, and is available to the faculty, students and the public.



*The Wexner Center for the Visual Arts*

# PLACEMENT POINTS

by *Darlene J. Brown, Director of Law Placement*

**F**all On-Campus Interviewing (OCI) began with its usual whirl of excitement. Our students experienced approximately 3000 interviews between September 11 and October 31. Over 160 different legal employers (from more than 170 various offices or branches) conducted on-campus interviews. In addition, 132 firms requested resumes from our students, which also resulted in offers and acceptances. The list you find as part of this column provides an overview of the different employers who scheduled campus visits.

## Fall Overview

- "Second season" interviewing is becoming more and more popular in law placement and OSU is no exception. A number of legal employers have already booked dates during January and February to interview third, second and first year law students. If you are interested in filling your hiring needs between January and April, simply give us a call.
- In addition to our on-campus interview calendar, OSU students participated in a number of off-campus interviewing programs in Columbus, Washington, D.C. and Chicago. These off-campus programs provided interviewing opportunities with about 60 additional legal employers. OSU students were very successful in all of these trips and nearly a dozen offers thus far have been made, and many of those accepted. A number of our minority students also interviewed at the Midwest BLSA-NALP interviewing conference in Cleveland. This is a very successful program that brings legal employers from across the country together with midwestern law school students. Traditionally, the Cleveland conference has produced numerous second interviews and offers.
- In the Student News section of the *Law Record*, you will find the list of 1989 judicial clerks. They are a fine group of young alumni. We anticipate a bumper crop of judicial clerks this year and believe we will surpass last year's total number.
- A real treat for me this fall were my visits with the Dean to the New York City and Chicago alumni luncheons. It was great fun to finally place faces with voices and names. Our alumni are very enjoyable and continue to be extremely helpful to the Placement program and our students. We look forward to continuing these contacts and developing even more.
- When I was on the road meeting our alumni this past fall, frequently I heard during my discussions an echo, "...fall break?" During the fall of 1988, the faculty initiated an experimental three-day break in

October. It proved to be so successful that 1989's break was a full week. Not only does it provide a much-needed academic break, it has been tremendously helpful for students conducting job hunts outside of Ohio. Additionally, students can use the week for "call backs" following their fall on-campus interviews.

- Anytime you or your employer needs to hire a law clerk for summer or part-time during the school year, remember to call the Ohio State Law Placement Office. We post jobs weekly for our students. Also, if you are seeking a lawyer with 0-5 years of experience, be sure to notify the Placement Office so your listing can be included in the bi-weekly newsletter which is mailed to alumni who are actively seeking new or different employment opportunities.

## Mock Interview Program

This past September, 18 alumni from the Classes of 1987, 1988 and 1989 returned to the law school to conduct mock job interviews for 56 students who requested to participate in the new program. Each student received two mock interviews and a critique sheet from each interviewer. The interviews were followed by a light supper and refreshments where all of the alums renewed law school ties and relived many law school memories. **Barb Brown LIII**, Chair of the Student Bar Association Placement Committee, and her volunteers helped make the program a great success and one which we will continue this fall.



Third-year students Barb Brown and Carolyn Matheson serve as student hosts for firm recruiters during OCI.

### Firms Scheduled For On-Campus Interviews – Fall 1989

- Akin, Gump, Strauss, Hauer & Feld\***, Washington, DC  
**Arter & Hadden**, Cleveland, OH  
**Arter & Hadden**, Columbus, OH  
**Arthur Andersen & Co.**, Columbus, OH  
**Ashland Oil, Inc.**, Ashland, KY  
**Baker & Botts\***, Austin, TX  
**Baker & Botts\***, Dallas, TX  
**Baker & Botts\***, Houston, TX  
**Baker & Botts\***, Washington, DC  
**Baker & Daniels**, Indianapolis, IN  
**Baker & Hostetler**, Cleveland, OH  
**Baker & Hostetler**, Columbus, OH  
**Barnes & Thornburg**, Indianapolis, IN  
**Barrett & McNagney**, Fort Wayne, IN  
**Barton, Klugman & Oetting**, Los Angeles, CA  
**Benesch, Friedlander, Coplan & Aronoff**, Cleveland, OH  
**Benesch, Friedlander, Coplan & Aronoff**, Columbus, OH  
**Best, Best & Krieger**, Riverside, CA  
**Bingham Summers Welsh & Spilman**, Indianapolis, IN  
**Black, McCuskey, Souers & Arbaugh**, Canton, OH  
**Borden, Inc.**, Columbus, OH  
**Bricker & Eckler**, Columbus, OH  
**Brooks & Kushman**, Southfield, MI  
**Brouse & McDowell**, Akron, OH  
**Buchanan Ingersoll Professional Corporation**, Pittsburgh, PA  
**Buckingham, Doolittle & Burroughs**, Akron, OH  
**Burke, Haber & Berick Co., L.P.A.**, Cleveland, OH  
**Burke, Wilson & McIlvaine**, Chicago, IL  
**Calfee, Halter & Griswold**, Cleveland, OH  
**Cargill, Incorporated**, Minneapolis, MN  
**Cavitch, Familo & Durkin Co., L.P.A.**, Cleveland, OH  
**Clary, Nantz, Wood, Hoffius, Rankin & Cooper**, Grand Rapids, MI  
**Cloppert, Portman, Sauter, Latanick & Foley**, Columbus, OH  
**Columbia Gas Distribution Companies**, Columbus, OH  
**Columbia Natural Resources, Inc.**, Charleston, WV  
**Connelly, Soutar & Jackson**, Toledo, OH  
**Coolidge, Wall, Womsley & Lombard Co., L.P.A.**, Dayton, OH  
**Coopers & Lybrand, CPA's**, Columbus, OH  
**Cors & Bassett**, Cincinnati, OH  
**Cronquist, Smith, Marshall & Weaver**, Cleveland, OH  
**Crowell & Moring\***, Washington, DC  
**Dade County State Attorney's Office**, Miami, FL  
**Day, Ketterer, Raley, Wright & Rybolt**, Canton, OH  
**Deloitte & Touche**, Columbus, OH  
**Dickinson, Wright, Moon, Van Dusen & Freeman**, Lansing, MI  
**Dinsmore & Shohl**, Cincinnati, OH  
**Dunlevey, Mahan & Furry**, Dayton, OH  
**Duvn, Cahn & Barnard**, Cleveland, OH  
**Dykema Gossett**, Detroit, MI  
**Eastman & Smith**, Toledo, OH  
**Eckert Seamans Cherin & Mellott**, Pittsburgh, PA  
**Emens, Hurd, Kegler & Ritter**, Columbus, OH  
**Ernst & Young**, Columbus, OH  
**Federal Trade Commission**, Cleveland, OH  
**Fisher & Phillips**, Atlanta, GA  
**Foley & Lardner**, Milwaukee, WI  
**Freund, Freeze & Arnold Co., L.P.A.**, Dayton, OH  
**Frost & Jacobs**, Cincinnati, OH  
**Fuller & Henry**, Toledo, OH  
**Gallagher, Sharp, Fulton & Norman**, Cleveland, OH  
**Gendel, Raskoff, Shapiro & Quittner**, Los Angeles, CA  
**Gibson, Dunn & Crutcher**, Los Angeles, CA  
**Gray, Cary, Ames & Frye\***, San Diego, CA  
**Graydon, Head & Ritchey**, Cincinnati, OH  
**Greenebaum, Doll & McDonald**, Louisville, KY  
**Hackman McClarnon Hulett & Cracraft**, Indianapolis, IN  
**Hahn Loeser & Parks**, Cleveland, OH  
**Harris Beach & Wilcox**, Rochester, NY  
**Hochman & Associates**, Dayton, OH  
**Honigman Miller Schwartz and Cohn**, Detroit, MI  
**Huddleston, Bolen, Beatty, Porter & Copen**, Huntington, WV  
**Hunt, Suedhoff, Borror & Eilbacher**, Fort Wayne, IN  
**Ice Miller Donadio & Ryan**, Indianapolis, IN  
**Internal Revenue Service, Office of Chief Counsel**, Washington, DC  
**Isaac, Brant, Ledman & Becker**, Columbus, OH  
**IBM Corporation**, Armonk, NY  
**Jackson & Kelly**, Charleston, WV  
**Jacobson, Maynard, Tuschman & Kalur Co., L.P.A.**, Cleveland, OH  
**Janik & McLaughlin**, Cleveland, OH  
**Jenkins, Fenstermaker, Krieger, Kayes & Farrell**, Huntington, WV  
**Jenner & Block**, Chicago, IL  
**Johnson & Gibbs, A Professional Corporation**, Dallas, TX  
**Johnson, Cusack & Bell, Ltd.**, Chicago, IL  
**Jones, Day, Reavis & Pogue**, Columbus, OH  
**Kahn, Kleinman, Yanowitz & Arnson Co., L.P.A.**, Cleveland, OH  
**Kay, Casto & Chaney**, Charleston, WV  
**Keating, Muething & Klekamp**, Cincinnati, OH  
**Keck, Mahin & Cate\***, Chicago, IL  
**King & Ballow**, Nashville, TN  
**King's County District Attorney's Office**, Brooklyn, NY  
**Kirkpatrick & Lockhart**, Pittsburgh, PA  
**Klett Lieber Rooney & Schorling**, Pittsburgh, PA  
**Kohrman Jackson & Krantz**, Cleveland, OH  
**Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A.**, Canton, OH  
**Lane, Alton & Horst**, Columbus, OH  
**Legal Aid Society Criminal Defense Division**, New York, NY  
**LeBoeuf, Lamb, Leiby & MacRae\***, New York, NY  
**Lincoln National Corporation**, Fort Wayne, IN  
**Locke Reynolds Boyd & Weisell**, Indianapolis, IN  
**Long, Aldridge & Norman**, Atlanta, GA  
**Manchester, Bennett, Powers & Ullman Co., L.P.A.**, Youngstown, OH  
**Marathon Oil Company**, Findlay, OH  
**Marshall & Melhorn**, Toledo, OH  
**Martin, Browne, Hull & Harper**, Springfield, OH  
**McCullough, Campbell & Lane**, Chicago, IL  
**McDonald, Hopkins & Hardy Co., L.P.A.**, Cleveland, OH  
**Michael, Best & Friedrich**, Milwaukee, WI  
**Michigan Court of Appeals**, Lansing, MI  
**Millisor & Nobil**, Columbus, OH  
**Mitchell, Silberberg & Knupp**, Los Angeles, CA  
**National Fuel Gas Distribution Corporation**, Buffalo, NY  
**National On-Campus Interview Consortium**, Washington, DC  
**Neal Gerber Eisenberg & Lurie**, Chicago, IL  
**Ohio Attorney General's Office**, Columbus, OH  
**Ohio Public Utilities Commission**, Columbus, OH  
**Pattishall, McAuliffe, Newbury et al.**, Chicago, IL  
**Paul, Hastings, Janofsky & Walker**, Los Angeles, CA



*Pension Benefit Guaranty Corp.*,  
Washington, DC  
*Phelan, Pope & John, Ltd.*, Chicago,  
IL  
*Pickrel, Schaeffer & Ebeling*, Dayton,  
OH  
*Pillsbury, Madison & Sutro\**, Los  
Angeles, CA  
*Pillsbury, Madison & Sutro\**, San  
Francisco, CA  
*Pillsbury, Madison & Sutro\**, San  
Jose, CA  
*Pillsbury, Madison & Sutro\**, Walnut  
Creek, CA  
*Pillsbury, Madison & Sutro\**,  
Washington, DC  
*Porter, Wright, Morris & Arthur*,  
Columbus, OH  
*Price Waterhouse*, Cleveland, OH  
*Reed Smith Shaw & McClay*,  
Pittsburgh, PA  
*Reinhart, Boerner, Van Dueren*,  
Norris & Rieselbach, Milwaukee, WI  
*Robinson & McElwee*, Charleston, WV  
*Robison, Curphey & O'Connell*,  
Toledo, OH  
*Roetzel & Andress*, Akron, OH  
*Rose, Schmidt, Hasley & DiSalle*,  
Pittsburgh, PA  
*Rutan & Tucker*, Costa Mesa, CA  
*Santen, Shaffer & Hughes*, Cincinnati,  
OH  
*Schneider, Smeltz, Huston & Ranney*,  
Cleveland, OH  
*Scholten, Fant & Marquis*, Holland,  
MI  
*Schottenstein, Zox & Dunn*,  
Columbus, OH  
*Schwartz, Kelm, Warren &*  
*Rubenstein*, Columbus, OH

*Seyfarth, Shaw, Fairweather &*  
*Geraldson*, Chicago, IL  
*Shumaker, Loop & Kendrick*, Toledo,  
OH  
*Simpson & Moran*, Birmingham, MI  
*Simpson Thacher & Bartlett*,  
Columbus, OH  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, Boston, MA  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, Chicago, IL  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, Los Angeles, CA  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, New York, NY  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, Washington, DC  
*Skadden, Arps, Slate, Meagher &*  
*Flom\**, Wilmington, DE  
*Sonnenschein Carlin Nath &*  
*Rosenthal*, Chicago, IL  
*Spengler, Nathanson, Heyman,*  
*McCarthy & Durfee*, Toledo, OH  
*Squire, Sanders & Dempsey*,  
Cleveland, OH  
*Squire, Sanders & Dempsey*,  
Columbus, OH  
*Stoll, Keenon & Park*, Lexington, KY  
*Strauss & Troy*, Cincinnati, OH  
*Streich, Lang, Weeks & Cardon*,  
Phoenix, AZ  
*Taft, Stettinius & Hollister*,  
Cincinnati, OH  
*Taft, Stettinius & Hollister*,  
Columbus, OH  
*Theisen, Brock, Frye, Erb & Leeper*  
*Co., L.P.A.*, Marietta, OH  
*Thompson, Hine and Flory*,  
Cleveland, OH

*Thrasher, Dinsmore & Dolan*,  
Chardon, OH  
*Tressler Soderstrom Maloney &*  
*Priess*, Chicago, IL  
*U.S. Dept. of Health & Human*  
*Services*, Washington, DC  
*Ulmer & Berne*, Cleveland, OH  
*Vogelgesang, Howes, Lindamood &*  
*Brunn*, Canton, OH  
*Vorys, Sater, Seymour & Pease*,  
Columbus, OH  
*Warrick, Weaver & Boyn*, Elkhart, IN  
*Weston, Hurd, Fallon, Paisley &*  
*Howley*, Cleveland, OH  
*Whyte & Hirschboeck S.C.*,  
Milwaukee, WI  
*Winston & Strawn*, Chicago, IL  
*Winthrop, Stimson, Putnam &*  
*Roberts*, New York, NY

### **Judges Scheduled For On-Campus Interviews – Fall 1989**

*The Honorable Peggy L. Bryant '76*,  
*Ohio Court of Appeals, Tenth*  
*District*, Columbus, OH  
*The Honorable James H. Williams*  
*'58, U.S. Bankruptcy Court*, Akron,  
OH  
*The Honorable John Evans, The*  
*Honorable Thomas F. Bryant, Ohio*  
*Court of Appeals, Third District*,  
Lima, OH

\*Firms represented by the National  
On-Campus Interview Consortium.

## CLINIC TAKES CASE TO SUPREME COURT

Attorneys from The Ohio State University College of Law Clinical Programs, together with an attorney from the Ohio Public Defender Commission, recently appeared before the United States Supreme Court to argue *Osborne v. State of Ohio*. The *Osborne* case challenged the Ohio Supreme Court's affirmance of a criminal conviction on grounds that the Ohio court's construction of a state statute in an attempt to save the statute from constitutional attack deprived the defendant of a fair trial. This is because the Ohio court affirmed

the conviction under the newly construed statute without giving the defendant an opportunity for a new trial under it. The appeal also challenged the statute as a violation of the first amendment.

The appeal was initially undertaken by former Clinic staff attorney Richard Curtner and by then third-year student **Gerald A. Moore '86**. When Curtner left the Clinical Programs for another position, an appeal to the Supreme Court of Ohio was taken by **S. Adele Shank '80**, of the Ohio Public Defender Commission. When the Ohio Supreme Court

affirmed the conviction and denied the petition for rehearing, **Professors David A. Goldberger**, Director of Clinical Programs, and **John B. Quigley** joined the case and all three attorneys appealed the case to the United States Supreme Court.

The case was argued before the Supreme Court in early December. "We were pleased with our presentation of the issues and we are anxiously anticipating the decision," said Professor Quigley. It is the first case since 1966 in which Clinical Programs attorneys have argued in the high court.

### Judge Addresses Faculty

The College of Law was fortunate to host a visit on October 13 from the **Honorable Robinson O. Everett**, Chief Judge of the United States Court of Military Appeals. Judge Everett is a tenured professor at Duke University Law School as well and is the only law professor to sit on the Court.

Judge Everett began his remarks by saying he is always pleased to visit at law schools and with law faculty, and to get away from Washington, D.C., "a place too small to be a state and too large to be an insane asylum." Judge Everett also enjoyed seeing several old friends who joined the colloquium, including **Robert M. Duncan '52**, former Chief Judge of the Court of Military Appeals, Columbus host **Dennis A. Schulze '68**, and **Associate Dean Gregory M. Travalio**, who was on special assignment to the Court as part of his 1988 Reserve duty.

Judge Everett explained the jurisdiction of the Court. Established in 1951, members of the Court are all civilian judges,

and sentences (over 90% are denied further review); 3) certified cases from the Judge Advocate General; and 4) "extra" writs which amount to some 2,500 requests for review each year. Oral argument is presented in about half of the cases accepted for review; many cases receive summary disposition. Until 1984, the Court was the court of last resort. The United States Supreme Court may now grant *certiorari* in cases from the military justice system.

Judge Everett said he is proud of the jurisprudence represented in the now 50 volumes of opinions of the Court and welcomed faculty to visit "our Courthouse."

In 1950 Judge Everett graduated *magna cum laude* from the Harvard Law School where he served two years on the Harvard Law Review. He received his LL.M. from Duke Law School in 1959. He is a well-known scholar of military law, criminal procedure, and evidence, and served as associate editor of *Duke's Law and Contemporary Problems*.

### Mandelker Visits College

**Daniel Mandelker**, Stamper Professor of Law, Washington University in St. Louis, spoke several times at The Ohio State University under the joint sponsorship of the College of Law and the Departments of City & Regional Planning and Landscape Architecture in the School of Architecture, College of Engineering. His lecture at the College of Law on November 15 considered recent shifts in the presumption of constitutionality for land use regulations.

Throughout most of the 20th century, land use regulations adopted by local governments arrived at the United States Supreme Court and the supreme courts of the states with a presumption of constitutionality. Whether the regulations were attacked as being facially unconstitutional or as unconstitutional in their application, those challenging the



Professors Fink, Mandelker and Murphy enjoy an interesting discussion.

regulations faced a hard-to-rebut presumption of constitutionality. Recently, however, that presumption has begun to shift.

The courts have not replaced the old presumption of constitutionality with some new presumption of unconstitutionality. But at both the federal and state levels, the courts are examining these local governmental actions much more closely. Some judges have become cynical about the expertise and rationality of local government. Others are looking closely at the takings clauses in the federal and state constitutions. Others are reexamining the balancing tests between the social welfare alleged and the degree of private burden imposed. The result, however, is a much more open opportunity for lawyers representing landowners.

Professor Mandelker also spoke on "New Trends in Sign Regulation" at the School of Architecture on November 16 and to a colloquium at the College of Law on November 17 for the faculties of the College of Law and of the Department of City & Regional Planning. His talk at the College of Law dealt with recent cases on the takings clause. He began with the so-called trilogy of 1987 United States Supreme Court decisions and then followed their subsequent careers through the lower federal and state courts. His final observation was that lawyers should look most closely at the decisions of intermediate state appellate courts because those were the courts, for good or ill, who were making the bulk of the land use decisions.



Robert Duncan joins Judge Everett for faculty colloquium.

although appointees have some military background. All parties before the Court are represented by military counsel. The Court has review jurisdiction for offenses prosecuted within the military justice system for all armed services. The judge reported that approximately one out of every three cases appealed for review is drug-related. Appeals come from the following sources: 1) mandatory review of all death sentences; 2) review of convictions

## GENOA EXCHANGE CONTINUES

The College of Law was fortunate to have the opportunity to host the stay of a second scholar from the University of Genoa this past fall. Following in the footsteps of predecessor Enrico Zanelli, **Vittorio Fanchiotti**, Professor of Law at the University of Genoa, visited the College of Law for 11 days in September. Although the time was short, the second "Genoa Connection" was at once educational and enjoyable.



*Professor Fanchiotti*

After graduation from law school, Professor Fanchiotti continued his education with a 'specialization' in criminology from the Institute of Criminology. He is the author of several books and articles regarding the comparative aspects of Italian and American criminal procedure.

Professor Fanchiotti spent his time here meeting with faculty, students, judges and practicing attorneys to share common interests and ideas. One of the purposes of his visit was to continue the plea bargaining research he began in Italy. "The Italian criminal procedure code is in a time of great change. Italy will soon have a more adversary system, and the code now contains

a provision for plea bargaining, which may be unconstitutional," explained Fanchiotti.

### *Herman Travels to Genoa*

As part of our exchange relationship with the University of Genoa, in December **Professor Lawrence Herman** traveled from The Ohio State University to Genoa for 16 days. He visited at the University of Genoa Law School, lectured to students and met with faculty and various lawyers, judges and government officials. He also observed criminal trials at all three levels of trial courts, which vary according to the seriousness of the offense.

"My wife and I were overwhelmed by the graciousness and generosity of all of the people we met at the University of Genoa Law School," exclaimed Herman. "However, the most amazing thing to me is how much they know about American law, and how interested they are in American legal developments. I was asked about the flag burning case and the resultant Congressional enactment, and about a recent death penalty case out of Chicago."

In explanation of their heightened awareness, Herman continued, "In the United States, we tend to litigate our social problems. Therefore, the majority, concurring and dissenting opinions really constitute a published debate on very sensitive social issues. Our litigation provides them with arguments on all sides of the social issues all societies must confront."

The topics of his lectures included: the current status of the death penalty in America, plea bargaining, the drug problem in the United States (because under Italian law the possession and use of narcotics are not crimes), and the American Civil Liberties Union.

Professor Herman gave one large public lecture on the



*Professor Herman enjoys sightseeing with a host faculty member.*

exclusionary rule which was attended by magistrates, prosecutors, and defense attorneys in addition to the law school community. The topic was of particular interest because Italy enacted an exclusionary rule for unconstitutionally obtained evidence in October 1989.

### *Beytagh To Revisit Genoa*

To strengthen the ongoing exchange relationship between Ohio State and the University of Genoa, **Dean Francis X. Beytagh** will revisit the Italian law school in late June. On his first visit, from November 27 to December 10, 1987, Dean Beytagh held discussions with Italian law students, faculty, and judges about comparative constitutional law, and delivered six lectures on constitutional law topics that were recently published in the University's *Annali di Genova*. In addition to similar activities, his plans for the trip in June include firming up arrangements for a series of conferences to be held in 1991-1992 in Genoa and Columbus to celebrate the quincentenary of Columbus's discovery of America, as well as the College of Law Centennial anniversary.



## COLLEGE WELCOMES CLASS OF 1992

The College of Law has traditionally offered an orientation session before the start of classes to assist first-year students in learning what to expect of a law school education. This fall, the Class of 1992 assembled in the auditorium for



SBA President Patrick Dukes LIII and Judge Peggy Bryant '76.

their first law school experience early on the morning of August 19, 1989. The welcoming remarks of SBA President **Patrick Dukes LIII**, Associate Dean **Gregory M. Travalio**, and Dean **Francis X. Beytagh** were filled with words of praise and encouragement, helping to ease the anxiety of those first few weeks.

It has become a tradition for a distinguished alumnus of the College to participate in orientation and to share some broader perspectives about educational preparation for the legal profession. The **Honorable Peggy L. Bryant**, Tenth District Court of Appeals of Ohio, was this year's invited speaker. Judge Bryant is a 1976 graduate of the College of Law and currently serves on the National Council of the College of Law Alumni Association.

The opening session was completed by the humorous yet insightful remarks of **Professor Louis A. Jacobs** and **Assistant Professor David Williams, II**.

After some break-out sessions

for small group discussions, the Class of 1992 enjoyed a picnic lunch at Drake Union. Faculty, staff and upperclass students took this occasion to become better acquainted with the entering students. Anxiety about starting law school cannot be eliminated, but the new Ohio State law students finished the day with a better understanding of expectations and the learning environment. "We are all in this together to help one another" was the repeated theme of the day.

### Coffees with the Dean

The first year of law study can be at once exciting and traumatic. Knowing well the first-year experience and the difficulties inherent in personalizing relationships at a large institution



Dean Beytagh with first-year students at Dean's Coffee.

like Ohio State, Dean Beytagh initiated a program several years ago to become better acquainted with the students from their first weeks at the College of Law.

Divided into groups of twenty or so, the students were invited to a coffee with the Dean. Dean Beytagh encouraged them to tell the group about themselves and their impressions of law school in general, and the College of Law in particular. In return, Dean Beytagh offered insights into his background, the history of the

College of Law, and his plans for the future of the institution.

"The Dean's Coffees have provided me a valuable opportunity to get to know students in a relaxed, congenial atmosphere. Every Dean should make a strong effort to establish a good working relationship with the student body—after all, the students are the reason the rest of us are here," observed Dean Beytagh. Certainly, the students will find the Dean willing to listen and to help in solving any problems they might mention.

### Placement Presentation

The guidelines of the National Association for Law Placement encourage that no action be taken with first-year students by potential employers or school placement offices until November 1. In compliance with this agreement, first-year students were introduced to the College's Placement Services when they met with **Director Darlene J. Brown** on November 1.

"First-year students actively seek law-related summer employment. Fortunately, the current hiring trends seem to be more open to meeting these students' needs. However, more positions for first-years are needed in all areas of law, including public interest, law firms of all sizes, government and private sector," explained Brown.



Students study photos of first-years in Placement Office window on Orientation Day.

## LIBRARY NEWS

This year, computer assisted legal research training was incorporated into the first year law students' legal research and writing course. WESTLAW training began just one month after the students started law school, and had received introductory lectures and assignments covering legal research skills. For one month a classroom was set up as a WESTLAW Temporary Learning Center with ten IBM work stations supplied by WESTLAW. The students were trained using personal computers because of the growing trend in law offices to use such equipment for WESTLAW and LEXIS searching rather than dedicated equipment.

The classes were taught by a reference librarian and a WESTLAW representative. The first-year students completed a 1-1/2 hour training session in which the first hour was spent introducing the students to WESTLAW by working through an offline tutorial program. The last part of the session was completed online. The librarians referred to manual research methods and showed the students the types of searches that are most efficiently performed by computers, and the searches that are best completed manually. These concepts were further emphasized in the advanced WESTLAW classes offered throughout the month. When classes were not in session, the students could practice their WESTLAW skills in the Temporary Learning Center. The WESTLAW representative was available to assist the students and a number of research assistants, *Ohio State Law Journal* and *Dispute Resolution Journal* students took advantage of the opportunity to get individual help with their search strategies.

Law students with home computer equipment took advantage of the WESTLAW offer of free WESTMATE software and two hours of free WESTLAW searching.



Law students practice their new research skills on the WESTLAW terminals.



WESTLAW representative teaches student.

Generally, the students have been enthusiastic about the expanded WESTLAW training program and winter semester's LEXIS/NEXIS training which was offered for the month of January. We look forward to having the lab in the remodeled library which will enable us to offer year round WESTLAW and LEXIS training programs for the students.

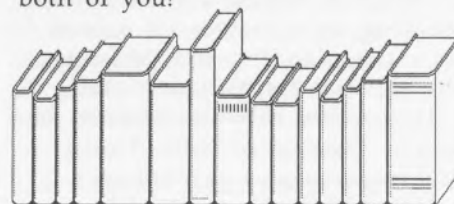
### New Faces in the Library

In the past few months, two new professional librarians have joined Director Alan Holoch's staff.

**Cory Skurdal** assumed a previously vacated position as Reference Librarian. He arrived here from the Graduate School of Library Science, University of Washington, where he recently earned his Master's in Law Librarianship. Prior to his post-graduate study, Skurdal earned his J.D. and B.A. from the University of North Dakota, where he majored in political science and criminal justice. He hopes to develop his specialty in foreign and international legal research.

**Helen Horton** joined the library staff as a Catalog Librarian in charge of the retrospective conversion and reclassification projects. In this position, she will coordinate and manage the transfer of all our card catalog records into computerized data (retrospective conversion) and the change of our collection from the previous scheme of arrangement to the Library of Congress system (reclassification). Horton recently completed her Master's Degree in Library Science from Indiana University-Bloomington. Her undergraduate degree is from Bowling Green State University with a major in Library Science and Education. Prior to library school, she was associated for 15 years with the Bexley Public Library, holding several positions as department head.

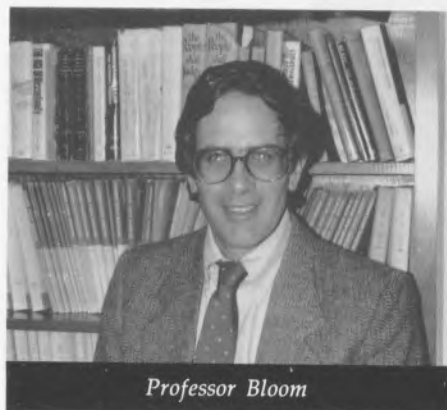
The College of Law welcomes both of you!



## VISITING PROFESSORS

The fall semester brought three distinguished visiting professors to the College of Law.

### Ira Mark Bloom



Professor Bloom

Ira Mark Bloom hails from the faculty of the Albany Law School. He is serving as the Drinko-Baker and Hostetler Visiting Professor of Law and will be with us for the full academic year. Professor Bloom is a graduate of the City College of New York and the Syracuse University College of Law. While in law school, he served as research editor of the *Syracuse Law Review*, and graduated *magna cum laude*. He was elected to the Order of the Coif.

Before entering law teaching in 1974, Professor Bloom served for five years as a trial and appellate attorney in the Tax Division of the U.S. Department of Justice Honors' Program. He is the author of numerous articles, and he is coauthor of the following casebooks: *Estates and Trusts: Cases, Problems and Materials*; *Federal Taxation of Estates, Trusts and Gifts*; and *Estates, Trusts and Taxes - Cases and Materials on the Wealth Transmission Process*. He is currently working on a chapter for a book on estate planning and updating the material for his casebooks.

During the autumn semester, he taught *Taxation of Gifts, Trusts, and Estates* and a seminar on *Selected Problems in Wealth*

*Transfer Procedures*. He is teaching *Gratuitous Transfers* and a new *Advanced Estate Planning* course this semester.

### Joseph W. Dellapenna

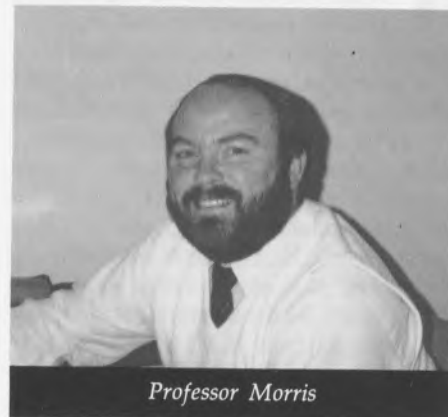
Joseph W. Dellapenna, whose home is the Villanova University School of Law, served as a visiting professor for the autumn semester. A native of Michigan, Dellapenna remained in the "state up north" for much of his higher education. A 1965 graduate of the University of Michigan with a B.B.A., with distinction, he went directly to law school, finishing first in his class at the Detroit College of Law. In addition, he holds two LL.M.'s, from George Washington University and Columbia University, and has taught at George Washington, Willamette University, and the University of Cincinnati.



Professor Dellapenna

Professor Dellapenna has taught and written on many subjects, ranging from contracts to environmental law. His most recent book, *Suing Foreign Governments and Their Corporations* (1988), related directly to one of his offerings, a course on *Transnational Litigation*. His other offering, *Introduction to Chinese Law*, arose from his longstanding interest in China. He has served as a Fulbright lecturer in both the People's Republic of China (1987-88) and the Republic of China (1978-79).

### Jeffrey W. Morris



Professor Morris

Jeffrey W. Morris came to us as a full professor from the University of Dayton School of Law. Also visiting the College for the fall semester, his teaching responsibilities were *Secured Transactions* and *Debtor/Creditor Law*. Born and raised in Rhode Island, he graduated *cum laude* with a B.A. in Political Science from Providence in 1974. The following fall found him in law school in Lexington, Virginia. "I feel I received a first-rate education at Washington & Lee," stated Morris, who was the executive editor of the *Washington & Lee Law Review* and a member of the *Jessup International Moot Court Team* while in law school.

After his graduation, *cum laude*, from law school, Morris practiced bankruptcy law with a large Atlanta law firm. Four years later, the call to teach became too strong. "While I enjoyed the firm, I missed the opportunity to consider legal issues without regard to the economics of the practice of law," he admitted. Atlanta's loss, however, is Dayton's gain.

His scholarship endeavors have included coauthorship of books on Chapters 12 and 13 of the *United States Bankruptcy Code*, as well as numerous articles regarding bankruptcy and secured transactions.



## FACULTY HIGHLIGHTS

**Francis X. Beytagh** attended the American Bar Association Annual Meeting in Honolulu in August. His service to the American Bar Association continued in November when he acted as chair of the ABA inspection team at St. Thomas University law school in Miami.

In October 1989, he was a panelist and participant in a German-American conference on comparative constitutional law in Washington, D.C.

Throughout the summer and fall, Dean Beytagh participated in law alumni functions in New York City, Chicago, Indianapolis, Washington, D.C., Miami, and Cleveland. He also continued his committee work with the American Bar Association, the Ohio State Bar Association, the Columbus Bar Association, and the Association of American Law Schools.

**Howard P. Fink** has completed work on the 1990 Supplement to Fink and Tushnet, *Federal Jurisdiction: Policy and Practice*, which was published in December 1989. He is currently hard at work on a treatise on the Ohio Rules of Civil Procedure with Professors Charles E. Wilson and Arthur F. Greenbaum of the faculty.

Professor Fink has been appointed co-chair of the newly reconstituted Editorial Board of the Michie Company, law book publishers. This seven-person Board will advise the publisher on the acceptance of manuscripts for publication and on general publication and corporate strategy. In addition to Professor Fink, the Board will consist of Professors Stephan Saltzburg of Virginia (co-chair), Charles Craver of George Washington, Jane Ginsburg of Columbia, Edward Imwinkelreid of the University of California at Davis, Daniel Mandelker of Washington University in St. Louis, and Mark Tushnet of Georgetown.

Professor Fink will chair the

New Teachers Workshop of the Association of American Law Schools to be held in Washington, D.C. in July. He has been reappointed to the Committee on Professional Development of the Association of American Law Schools. He continues to serve as the chair of the College's Planning Committee which is planning the new law building addition and renovation.

**Arthur F. Greenbaum** began his tenth year of teaching at The Ohio State University College of Law this fall. His article, "Government Participation in Private Litigation," appeared in the December 1989 issue of the *Arizona State Law Journal*. This article presents the first comprehensive analysis ever prepared of the issues that arise from the Federal Government's participation in private litigation. It addresses both the policy considerations and procedural restrictions that govern this important aspect of federal regulatory practice.

"Jacks or Better to Open: Procedural Limitations on Co-Party and Third-Party Claims" will appear in the February 1990 issue of the *Minnesota Law Review*. This work addresses the complex and seemingly contradictory treatment the Federal Rules of Civil Procedure give to claims raised in multi-claim litigation and presents a framework for reform. It provides the only in-depth analysis of this subject ever prepared and constitutes the first significant treatment of these issues since Professor Friedenthal's Stanford article in 1970 on multi-claim litigation in California.

**Sheldon W. Halpern** has two forthcoming articles. The first, "Of Libel, Language and Law: *New York Times v. Sullivan* at Twenty-Five," was published in the *North Carolina Law Review* in January 1990. The article is an extended exploration of the current state of the law of defamation now that a

quarter century has passed since the landmark *New York Times v. Sullivan* opinion. With that case, the Supreme Court began a process of constitutionalization that has produced a chaotic system that fails to meet the great objective of accommodating the individual's interest in reputation to the strictures of the first amendment. The article examines *Sullivan* and its progeny, placing a realistic perspective on doctrine that has become accepted notwithstanding its formation through shaky Court majorities and less than compelling logic and suggests an approach toward accommodation of the apparently irreconcilable interests predicated on concepts of professionalism.

The second, "Values and Value: An Essay on Libel Reform," will be published in February 1990 in the *Washington and Lee Law Review*. It was solicited by the Journal as part of its symposium issue on Communicative Torts; Professor Halpern will also participate in the symposium at Washington and Lee at which the various articles will be presented. In addition, Professor Halpern, with coauthors Howard Abrams of the University of Detroit and David Shipley of South Carolina, has contracted to write a casebook on Copyright Law with West Publishing Company.

Over the past year, Professor Halpern has served as chair of the Association of American Law Schools' provisional section on Defamation and Privacy. He was the moderator of the section's program at the AALS conference in January 1990 in San Francisco.

Professor Halpern has been appointed to the University's Faculty Committee on Patents and Copyrights. In addition, he has been named to the American Law Institute Members Consultative Group for the Restatement of the Law, Third, Unfair Competition.

**L. Camille Hébert** was recently appointed by Columbus, Ohio

Mayor Dana Rinehart to the Mayor's Drug Legislation Commission. The Commission is to issue a report on proposed changes in the drug laws to improve their enforcement.

Professor Hébert has made presentations to several different groups in the past few months. In July 1989, she spoke to the Columbus Area International Program on "Social Legislation Affecting Women." Her talk focused on legislation on sex discrimination in employment and education and legislation concerning abortion and child care.

In September 1989, she spoke to returning College of Law alumni on "The Constitutionality of Employee Drug Testing." Professor Hébert was one of four faculty presenters during the first portion of the Annual Alumni Return Continuing Legal Education Program on "The Supreme Court and Controversy: Analysis and Implications of Recent Decisions."

A third presentation was made in November 1989 concerning "The Many Dimensions of Drug Testing in the Workplace: Protecting Employees' Privacy Interests." She led a discussion of privacy protections for private sector employees from the privacy invasions inherent in drug testing provided by legislation, tort theories, and contracts.

**Lawrence Herman** accompanied Ohio State's team to the regional and final rounds of the American Bar Association's National Appellate Advocacy Competition. The team, which consisted of Carolyn Baker and Christopher Parker, won the Ohio-Michigan regional round in Akron. In the final round in Washington in August, the team finished second. Congratulations to the adviser and the team!

Professor Herman is a member of the Ohio Criminal Defense Lawyers Association's special task force on the death penalty. The task force is preparing testimony against proposals to broaden the

availability of the death penalty in Ohio.

In September, Professor Herman participated in a round-table on Constitutional Law as part of a continuing legal education program held in conjunction with Annual Alumni Return. He gave five lectures at the University of Genoa from December 3 to December 15 as part of the College's ongoing exchange program with the University of Genoa. He will also be the resident director of the College's summer program for pre-law students in Oxford, England next summer.

**Alan Holoch**, Director of the law library, has been appointed to a second term as a member of the American Bar Association's Section on Legal Education and Admissions to the Bar, Committee on Law Libraries. In conjunction with the Section Council, the Committee is reviewing the process of inspecting and evaluating law schools and law school libraries.

**Timothy S. Jost** spent the spring and summer of 1989 at the Centre for Socio-Legal Studies at Oxford University on a Fulbright grant. He studied health care quality regulation in England, Sweden, Belgium and West Germany. A monograph on this topic will be published by the King's Fund of London in the near future.

Professor Jost has begun work on a first-year Property casebook which will be published by West Publishing Company. The book, which is coauthored by Sandra Johnson and Peter Salsich of Saint Louis University and Thomas Shaffer of the University of Notre Dame, will be designed to facilitate the teaching of professional ethics and alternative dispute resolution in the first-year curriculum. After finishing this book, he will begin work on a second edition to his *Health Law* casebook, which was used in ninety law schools last year. Finally, he is working on a

chapter on the law of long term care facilities for a book on health care facility law.

**P. J. Kozyris** gave a set of lectures in Greece to bar associations and university groups on the subjects of constitutional interpretation in the United States, comparative corporate law, conflict-of-laws doctrine, and regulation of the mass media in America. Given in the spring of 1989, these lectures led to articles which are being published in Greek legal periodicals.

In 1989, Professor Kozyris published two major pieces on corporate takeovers. One article, entitled "Corporate Takeovers at the Jurisdictional Crossroads: Preserving State Authority Over Internal Affairs While Protecting the Transferability of Interstate Stock Through Federal Law," was published in 36 *U.C.L.A. Law Review* 1109 (1989). The article maintains that there is an overriding federal interest to protect the free transferability of securities and of corporate control in the interstate markets and that this interest may be fully implemented through rules of exclusion from the markets of nonconforming securities without otherwise interfering with the authority of the states to regulate the management and internal affairs of their corporations as they see fit.

The other article appeared under the title, "Some Observations on State Regulation of Multistate Takeovers: Controlling Choice of Law Through the Commerce Clause," in 14 *Del. J. Corp. L.* #2 (1989). The main thesis is that, under the Commerce Clause, the state of incorporation has wide powers to regulate takeover matters, within a broad definition of internal affairs, of domestic but not of foreign corporations. The antitakeover statutes, however, run the risk of preemption if they discriminate in favor of management-approved acquisitions in violation of the neutrality policy of the federal tender offer laws.



Professor Kozyris has been selected by the International Academy of Comparative Law to be the national United States reporter on "Crossborder Bankruptcy in the Conflict-of-Laws," a topic to be presented at the Academy's XIIIth Congress to be held in Montreal in August 1990.

At the annual meeting of the Association of American Law Schools held in San Francisco in January 1990, Professor Kozyris spoke to the Conflicts Section on "Methods and Values in Choice-of-Law: Comments on Recent Legislative Texts Relating to Products Liability Conflicts." He is also currently completing "Choice of Law in the American Courts-1989" to be published in the *American Journal of Comparative Law*.

**Joan M. Krauskopf** continues her work on issues relating to family law. She authored an article, "Theories of Property Division/Spousal Support: Searching for Solutions to the Mystery," which was published in 23 *Family Law Quarterly* 253 (1989). The article explores the differences and similarities between property division and spousal support at marriage dissolution. The thesis is that property division divides the gains in traditional assets that are a product of the marriage while spousal support shares the gains and losses in earning capacity of each spouse which are due to marital roles. Further, she has begun work with two new coauthors to write a second edition of *Advocacy for the Aging*, first published by West Publishing Company in 1983.

Professor Krauskopf has also been engaged in researching and analyzing Ohio property division and alimony law in the context of a major legislative revision of Ohio law. She has advised various lobbying groups and testified in the Ohio Legislature on the proposal.

On the University front, Professor Krauskopf's activities include service as chair-elect of The Ohio State University Council

for Academic Excellence for Women. The Council meets monthly to plan activities and discuss issues affecting women faculty and staff. In addition to attending a fall reception for new women faculty, a promotion and tenure workshop, a child care forum, and meetings with both the Provost for Academic Affairs and the President, she hosted three luncheons for women faculty. She continues her work as a member of the College of Law Appointments Committee as well.

Professor Krauskopf also spoke about family law issues on the Central Ohio Radio Reading Service for persons with visual impairments.

**Stanley K. Laughlin** traveled this past summer to St. Croix in the United States Virgin Islands to address the Virgin Islands Bar Association and to appear on local television shows. His general topic was the political status of the Virgin Islands. Later in the summer he went to Oxford, England to participate in the College of Law's summer programs there and to visit the Oxford Socio-Legal Centre. He is a member of the board of overseers of the Ohio State counterpart of the Oxford Centre.

Professor Laughlin continues to be involved in a number of projects with the Mershon Center, including co-chairing the World Affairs Seminar, which is an interdisciplinary group of scholars.

**Lee Modjeska** recently published "Federalism in Labor Relations - The Last Decade" in the *Ohio State Law Journal*, and another article, "Employment Discrimination and the Reconsideration of *Runyon*," will be published shortly in the *Kentucky Law Journal*. He is currently writing casebooks and treatises on labor and employment law.

Professor Modjeska was recently admitted to membership in the prestigious Labor Law Group, a select group of scholars, thereby

following in the footsteps of distinguished former Ohio State law professors Robert Mathews and Ivan Rutledge. For those concerned about Professor Modjeska's health and vigor, suffice to note that he just became a brown belt in *taekwondo*.

**Earl Finbar Murphy** remains active as a member of the Board of Visitors, Indiana University School of Law—Indianapolis at the Indiana University/Purdue University Campus at Indianapolis. As Courtesy Professor of Natural Resources in the College of Agriculture, Professor Murphy has participated in working on the curriculum of the Natural Resources Development Project and on the committee for the Wayne Nichols Lecture. He has continued his work with the World Society for Ekistics, headquartered in Athens, Greece.

Professor Murphy published a chapter, "Euclid and the Environment," in *Zoning and the American Dream: Promises Still to Keep*, Charles Haar and Jerold Kayden, eds., published by the American Planning Association in association with the Lincoln Institute of Land Policy. The book explores the ramifications of the 1926 case of *Ambler Realty Company v. Village of Euclid*. He also published an article, "Implements for the World Garden," in *Ekistics*, Nos. 325/326/327, which deals with the international law of environmental protection and land use allocation. He is continuing his work on groundwater law and the theory of property law.

**Joanne Wharton Murphy** coordinated an active program of alumni events over the fall in addition to teaching her seminar dealing with "Problems in International Finance and Banking." An article, "Financing Physical Infrastructure for Future Urban Settlements," recently appeared in *Ekistics* magazine. The piece was based upon a presentation at a symposium in Athens, Greece for the World



Society of Ekistics. She is a member and director of the Society which is a multidisciplinary organization dealing with urban planning on a world scale.

**John B. Quigley** continues his prolific scholarship with the publication of several additional articles. "Palestine's Declaration of Independence and the Right of the Palestinians to Statehood," 7 *Boston University International Law Journal* 1 (1989), analyzes from the standpoint of international law (territorial rights, self-determination) the Palestinian declaration of independence of 1988 and concludes that there is a sound legal basis for the declaration. "Human Rights Study in Soviet Academia," 11 *Human Rights Quarterly* 452 (1989), comments on the attention being given to the study of human rights today in the U.S.S.R. and the greater receptivity of the U.S.S.R. to international monitoring of human rights there.

Following the end of the 1980-1988 war between Iran and Iraq, the two countries held about 100,000 prisoners. In "Iran and Iraq and the Obligation to Release and Repatriate Prisoners of War After the Close of Hostilities," found in Volume Five of the *American University Journal of International Law* (1989), Professor Quigley argues that the two countries have an obligation to release them, even if they are not yet able to come to terms on a peace treaty.

In 1989 the U.S.S.R. gave all privately-operated cooperatives and all state-owned factories the right to export and import. Previously, a single ministry had done all exporting and importing. 7 *International Tax and Business Lawyer* 275 (1989) contains an article, "Legal Implications of the Dismantling of the Soviet Foreign Trade Monopoly," in which Professor Quigley discusses the meaning of this reform for the United States corporations doing business with the U.S.S.R.

Most analysts have said that the

legal systems of socialist countries form a family of law separate from the civil law from which it takes its origin. In "Socialist Law and the Civil Law Tradition," 37 *American Journal of Comparative Law* 301 (1989), Quigley argues to the contrary that socialist law remains part of the civil law tradition despite the addition of socialist elements.

Professor Quigley has spoken to a variety of community groups in Columbus on the topic of international drug trafficking. He lectured at Cleveland State College of Law and Case Western Reserve Law School on the topic of "Legal Aspects of Palestinian Autonomy" on April 11. On April 18, he spoke over the Ohio Radio Reading Service on current developments in Saudi Arabia. April 23 found him at the Islamic Center lecturing on current Middle East negotiations.

Among the lectures he gave in October were: "Legal Reform in the U.S.S.R." at the OSU Center for Slavic & East European Studies; "Apartheid in Columbus, Ohio and Southern Africa" at the OSU Black Studies Department; and "Israel and the Palestinians" to the Peacemaking Committee of Covenant Presbyterian Church in Columbus.

He attended a meeting of legal experts in humanitarian law in Geneva, Switzerland from May 28-31 aimed at finding ways to encourage Iran and Iraq to release the prisoners they hold from the Iran-Iraq war. Together with an Austrian sociologist and a retired Italian deputy commander of NATO, he conducted a fact-finding mission in and around Jerusalem from June 26-30 to investigate measures taken by the government of Israel affecting the rights of Palestinian children in the Gaza Strip and West Bank in the context of the Palestinian uprising.

In early November, he served as a judge in Bogota, Colombia on the Permanent People's Tribunal, a citizen inquiry into human rights violations in Colombia. In

addition, he received an award from the Palestinian Community of Central Ohio at a ceremony and reception at the Parke Hotel. Congratulations!

Professor Quigley conducted a two-week continuing legal education program for fifteen lawyers in Kenya from September 22 to October 8. In addition to giving lectures on Kenyan law, he also arranged visits to Kenyan courts and meetings with Kenyan lawyers.

**Rhonda R. Rivera** wrote an article on HIV infection and handicap law in the black community for the *Columbus Call & Post* newspaper which appeared in a recent issue. Additionally, she was quoted in articles appearing in *The Columbus Dispatch*, *Columbus Alive!*, and the *San Francisco Examiner*. In September 1989, she presented the Rhonda R. Rivera Humanitarian Award to Cynthia Cecil Lazarus, Columbus City Councilwoman, at the Stonewall Union Annual Dinner.

On December 9, 1989, Professor Rivera received the Annual Civil Rights Award from the American Civil Liberties Union of Ohio for her tireless efforts for gay and lesbian civil rights and for persons with AIDS. She was further honored with a distinguished teaching and service award from the Society of American Law Teachers for her pioneering work in bringing the concerns and perspectives of gay and lesbian teachers and students to the attention of the law school community and for her invaluable contributions to the Society as one of its former presidents. Congratulations to Professor Rivera for her hard work and dedication.

Professor Rivera also continues to speak to various groups on the legal issues surrounding AIDS. In June 1989 she was a speaker on the steps of Columbus City Hall to commemorate the *Bowers v. Hardwick* decision, which denied privacy rights to gay and lesbian persons. July found her behind the podium at a "Meeting with

Success" luncheon sponsored by the YWCA. At the University of Oklahoma College of Law Enrichment Program, Professor Rivera spoke on "The Challenge of AIDS to the Law." She has lectured on AIDS legal issues to the AIDS Educator Forum of Colleges and Universities of Ohio, on counseling AIDS clients on a myriad of legal issues at a Cleveland Bar Education Center Continuing Legal Education seminar titled, "Representing People with AIDS," on "Legal Issues for HIV Positive People" for the "Our Church Has AIDS" National Episcopal AIDS Coalition in Cincinnati, on "HIV and AIDS: Legal and Ethical Issues: A Live Teleconference" sponsored by East Central AIDS Education and Training Center, on "Legal Issues of AIDS" for a live teleconference on "AIDS in the College Community" sponsored by the American College Health Association, and on the ethical and legal issues of AIDS for a Continuing Medical Education conference sponsored by Ohio Osteopathic Medicine.

**Nancy H. Rogers** has been appointed by American Bar Association President L. Stanley Chauvin as Chair of the eleven-member ABA Standing Committee on Dispute Resolution. The Committee's objectives are: to provide comprehensive clearinghouse services and technical assistance to all interested persons; to develop and carry out a plan for increasing state and local bar involvement; to conduct legal, judicial, and public education programs; to develop law school curricula; and to conduct research and experimentation. The Governor's Peace and Conflict Management Commission, for which she served as co-chair, recently approved its Final Report to Governor Celeste.

At the annual meeting of the Society of Professionals in Dispute Resolution in Washington, D.C. in October, she moderated an Open Forum on the use of mandatory

dispute resolution and served as a panelist on "An Analysis of Alternative Dispute Resolution Legislation."

An excerpt from the book she coauthored with Craig A. McEwen was published as an article, "Mediation and the Unauthorized Practice of Law," by *Mediation Quarterly* in the spring issue.

**Michael D. Rose** has several recent publications to his credit, including the 1989 pocket part to the third edition of his hornbook (with the late John C. Chommie) on *Federal Income Taxation*, the 1990 edition of *Selected Federal Taxation Statutes and Regulations*, and the 1989 supplement to the *Ohio Will Manual*.

Professor Rose served last summer as the Director of the Oxford Summer Law Program. He organized the seventh annual OSU College of Law Estate Planning Conference held in May 1989 at Stouffer's Dublin Hotel, Dublin, Ohio. His public speaking engagements have included a speech to the Torch Club of Columbus, Ohio, on "Tax Reform in the '80s: Rhetoric or Reality?"

**Thomas G. Spaitth**, Associate Director of the law library, has been elected treasurer of the Ohio Regional Association of Law Libraries (ORALL). His term of office will run from 1989 to 1991.

**Douglas J. Whaley** continues his extensive textbook publications with several new works. He recently completed the second edition of *Problems and Materials on Commercial Law*, to be published by Little, Brown later this year. The second edition of *Problems and Materials on the Sale and Lease of Goods* will also be published in 1990. In addition, he is working on a new casebook on Consumer Law which Little, Brown has contracted to publish in 1991.

On the lighter side, Professor Whaley has signed a contract with a literary agent in New York and expects to publish his novel, *Frightening the Horses*, in 1991.

**David Williams, II** was a member of the American Bar Association's Special Delegation to the European Economic Community for eight days during the month of October. He traveled to Luxembourg, Belgium and London to meet with senior officers of the European Economic Community to discuss economic and legal policies.

Professor Williams recently completed an article entitled, "Is it Soup Yet? The Enterprise Zone Concept at the Federal Level. Are Proposed Tax Incentives the Needed Ingredient?," which has been submitted for publication.

Professor Williams served on the University's Search Committee to select a new Vice Provost for Minority Affairs. Additionally, he was a member of the Advisory Board for the Black Studies' Extension Centers Spring Conference on "Black Economic Development." This University group is planning the conference for early May 1990.

**Charles E. Wilson** was a visiting professor of law at the Brooklyn Law School fall semester. On November 8, 1989, he conducted a faculty seminar for the Brooklyn Law School faculty on Negotiation Theory and Practice. He will be on sabbatical during the winter semester 1990 completing a book on the Ohio Rules of Civil Procedure that he is coauthoring with Professors Howard P. Fink and Arthur F. Greenbaum.

He served as a faculty member at the National Institute of Trial Advocacy's Negotiation Workshop at the University of North Carolina School of Law from October 22-24, 1989. In September 1989 he made a presentation at the West Liberty, Ohio Mennonite Church on the role of unions and collective bargaining in a democratic society.

Later this winter, he will conduct a Negotiations course for The Ohio State University Continuing Legal Education Program.



## THE TAX REFORM ACT OF 1986: RHETORIC OR REALITY?

by **Michael D. Rose**, Professor of Law



Professor Rose

*Michael D. Rose, Lawrence D. Stanley Professor of Law, spoke last year to the Torch Club of Columbus, Ohio. The following are excerpts of his remarks. Professor Rose teaches the basic income tax course, Corporate Taxation, and courses dealing with estate and business planning. He has published three books on federal income taxation and each year edits a widely-used volume of selected federal taxation statutes and regulations. Professor Rose wishes to acknowledge the significant contribution of **Kay Ballard**, a second-year student at the College of Law during the 1988-1989 academic year, who transferred to the University of Iowa to be near her family in Illinois.*

**D**oes the Tax Reform Act of 1986 represent real reform or mere rhetoric? The phrase "tax reform" is itself a rhetorical device. Tax revision means a change in the tax laws. Tax reform implies a change for the better, and it connotes impartiality, reasonability, and justice. Throughout the nation's history nearly every change in the tax laws has been promoted as a reform of the then current system.

The Tax Reform Act of 1986 is one of four revenue measures to use the word "reform" in its name. We have also had the Tax Reform Acts of 1969, 1976, and 1984. But the changes in the tax laws in 1986 were extraordinary,

and they were brought about—or at least made possible—through the use of another rhetorical device, reference to the Angry American Taxpayer, a somewhat mythical person who was a composite creation of Howard Jarvis, Jimmy Carter, and Ronald Reagan.

This person, the Angry American Taxpayer, was born to the middle class somewhere in California during the time of Proposition 13 and tax revolt. Howard Jarvis said that this taxpayer was "furious, taxed to the limit, politically volatile, mindful of his own power, and a real danger to any politician who refused to act in his interest." Jimmy Carter said that this taxpayer was not only angry, but "ashamed" of the "disgraceful" federal income tax system because it was so "complicated, arbitrary, and unfair." Ronald Reagan said that the Angry American Taxpayer felt not only a "bitterness and frustration that was about to boil over" but also "like the country's biggest chump." President Reagan added that the system "corrupted honest people and encouraged them to cheat...and to brag about their cheating at social get-togethers."

While these descriptions may have resembled real American taxpayers, polling by the Reagan campaign organization in 1984 revealed that voters were not eager for tax reform. While many expressed a dissatisfaction with the federal income tax system, most were quite suspicious of the phrase "tax reform" and saw it as an euphemism for "tax increase." The Reagan campaign organization decided that tax reform was not an issue that would excite voters and chose instead to use such themes as "Go for the gold!" and "You ain't seen nothing yet." This unwillingness to bring the issue of tax reform into the 1984 campaign

prevented President Reagan's victory from being seen by Congress as a mandate for reform. Nonetheless, the image of the Angry American Taxpayer remained in the anxious minds of Congress and special interest groups. While the rhetoric of tax reform was not a significant factor in garnering support for legislation, it caused a certain hesitation among the opponents of reform. Although tax reform never quite ignited the American people, its supposed potential to do so effectively kept opponents of the legislation at bay and, in this way, allowed its supporters to make the Tax Reform Act of 1986 the law of the land.

Has there been a change for the better? Before I deal with that question, consider some of the difficulties in evaluating tax reform.

The first difficulty is being able to get beyond a sort of pervasive suspicion and negativism that, collectively, many people may feel about any activity of Congress. Even though the public might profess to have an underlying esteem for its elected representatives, the public is quite familiar and comfortable with a characterization of members of Congress either as well-meaning, but inept, or as puppets of special interests. Also, the public cannot help remembering that the laws being reformed were laws that Congress had passed in the first place.

Syndicated columnist, David Broder, has suggested that with tax reform the public's suspicion might be further fueled by the fact that the subject is not telegenic. We are, after all, a nation that receives much of the news from television and since it is nearly impossible to "see" tax reform, this may have caused the public to question whether it was occurring.



Another problem in evaluating tax reform is that most individuals are taxpayers. It is difficult to be objective when one's own money is at stake. Senator Russell Long said that tax reform means: "Don't tax you. Don't tax me. Tax the fellow behind the tree." It is hard to be favorably impressed by the elimination of a "loophole," if it is one that we ourselves use. For most people the answer to the question: "Has there been tax reform?" hinges on whether they are paying more or less in taxes than before. Maybe this shortsightedness is simply a function of human nature. Perhaps it is an indictment of societal greed. But it is not an unusual attitude when political candidates have encouraged people to cast their votes based on their own individual economic circumstances by asking: "Are you better off today than you were four years ago or eight years ago?"

A fourth problem in evaluating tax reform is that even if a person is able to ignore the personal financial consequences of the legislation, that person is still making an evaluation from his or her own viewpoint. Concepts of social policy and order are either promoted or offended by the tax laws, and this naturally affects one's judgment no matter how hard he or she may strive for objectivity.

While these problems exist, it is necessary to move beyond a negative, politicized, and self-centered perspective and to apply reasonable objective criteria for evaluating the Tax Reform Act of 1986. An obvious approach is to evaluate the Act based on the goals of fairness, simplicity, and economic growth, to which President Reagan referred in proposing an overhaul of the tax laws.

Most people would probably say that making the tax system fairer should be the major objective of improving the tax laws. This is extremely difficult to do, however, because there is no general standard of fairness. A reasoned

analysis of fairness in tax policy usually involves considerations of how the tax burdens should be shared by persons in different economic circumstances. Progressivity has had wide acceptance in this country. Two justifications for progressive taxation are that it is based on the ability to pay and that it reduces economic disparities.

Fairness should also consider the treatment of persons in essentially the same economic circumstances. This usually involves exploring whether income should be treated differently based on its source or what it represents and whether taxpayers should be treated differently based on their particular circumstances.

There is no widely accepted test for evaluating improved simplicity in the tax system. For seemingly objective measures, one might look to the number of words in the Internal Revenue Code or to the time required to prepare tax

returns. For subjective measures, one might ask accountants or lawyers whether the law is simpler or members of Congress whether constituents are complaining less about the complexity of the tax laws.

Defining economic growth also poses problems. Some people believe that this is best measured by increases in the Gross National Product or decreases in the unemployment rate. Others believe that economic growth should be measured by increased expenditures for plants and equipment. Some believe that this objective should be measured by determining whether investment decisions are more likely to be based on economic factors and business considerations rather than on tax consequences.

In sum, an unbiased, comprehensive evaluation by applying these three seemingly straightforward criteria is not possible.

## GOLDBERGER HONORED

**P**rofessor David A. Goldberg was honored on December 10 for his courageous defense of the first amendment in the *Skokie* case during the late 1970s by the American Civil Liberties Union of Illinois.

Goldberger, who served as former staff counsel and then as Legal Director of the ACLU of Illinois from 1967 to 1980, received the organization's Harry Kalven Award which honors those who have demonstrated devotion and dedication to the principles of freedom of expression.

The ACLU's Freedom of Expression award is named for the late Harry Kalven, a University of Chicago law professor widely recognized in the legal field as one of the giants of first amendment issues. Following his death in 1974, the ACLU created the award to honor those who have demonstrated Kalven's devotion to the principles of freedom of expression. Goldberger, who graduated from the University of Chicago Law School in 1967, was one of Kalven's students.

Congratulations, Professor Goldberger!



*Professor Goldberger receives Kalven Award from ACLU of Illinois.*

## STUDENT LEADERS 1989-1990

**S**tudents at the College of Law are a well-qualified, articulate and dynamic group of aspiring professionals. Many have advanced degrees and substantial work experience to bring to the study of law. All have a strong desire to understand the complex environment in which lawyers attempt to use the tools they were given in law school. In an effort to acquaint our readers with today's law students, we are introducing some of the student leaders for the 1989-1990 academic year. We hope to introduce you to other students who provide helpful leadership throughout the year in the next issue of the *Law Record*.

### Drew H. Campbell

As editor-in-chief of the *Ohio State Law Journal*, third-year student Drew H. Campbell brings a diverse background to the College. After graduating in 1981 from Boston University School for the Arts with a major in music, he played string bass for the Veracruz Symphony in Southern Mexico for a year.

He returned to the United States in 1982, and obtained a position with the Columbus Symphony, for which his brother plays trumpet. Campbell served on the Orchestra Committee and assisted in negotiating a new contract for the players which ended a five and one-half month strike.

He resigned from the symphony in 1987 to take up the study of law. "Having been out of school and coming back again, you have a different point of view. It helps to keep the whole academic experience in perspective," he observed.

Upon graduation in May, he plans to clerk for the Honorable Joseph P. Kinneary, Senior Judge for the U.S. District Court, Southern District of Ohio, Eastern Division.

### Patrick M. Dukes

Law school was a natural choice for Youngstown, Ohio native Patrick M. Dukes, LIII. The Student Bar Association President considers Ohio his home and he wanted to go to a large law school upon graduation from Youngstown State University in 1987, so Ohio State College of Law was the perfect choice. "My three years here at Ohio State have been the most rewarding educationally, especially in terms of the quality of the faculty, staff and students," Dukes stated.

The summer after his first year found him clerking for the Columbus firm of Crabbe, Brown, Jones, Potts & Schmidt, a position he obtained through the Minority Clerkship Program. He enjoyed the firm, and liked the challenge of insurance defense work.

Since the Minority Clerkship Program does not permit a student to return to a firm for a second summer clerkship, Dukes elected to spend the next summer as a law clerk for the Cleveland firm of Weston, Hurd, Fallon, Paisley & Howley, where he plans to work after graduation. "I found I really liked litigation, especially the defense of medical malpractice claims."



Patrick Dukes

### John W. Hopper

John W. Hopper had several years of work experience under his belt before he came to law school. Raised in East Liverpool, Ohio, Hopper graduated in 1980 from Mt. Union College, in Alliance, Ohio, with a double major in economics and finance. He went directly to the University of Pittsburgh, where he earned an M.B.A. in 1981.

After working in several different positions in both Pittsburgh and Columbus, he decided to go back to law school. He has never regretted the decision. Last year Hopper was elected editor-in-chief of the *Journal on Dispute Resolution*, commonly referred to as J.D.R. "J.D.R. provides a unique



Drew Campbell, Monte Smith and John Hopper

opportunity for many students, and benefits the law school as well. We are all working very hard to assure the ongoing operation of the *Journal*."

Hopper intends to head back to Pittsburgh after hooding to practice in the corporate finance section of the Buchanan Ingersoll law firm. "As rewarding as law school has been, the opportunity to go out and actually practice what I have learned is very exciting."

### Monte G. Smith

Monte G. Smith, LIII, is the Chief Justice of the Moot Court Governing Board. A native of Granville, Ohio, Smith grew up in the shadow of Denison University but chose to attend Ohio State. He received a B.A. in English Literature in 1986, and worked for one year in the Communications Department of Licking Memorial Hospital in Newark, Ohio.

"In my experience as Chief Justice of the Moot Court Governing Board, I have been consistently impressed by the overall academic and writing skills of the first-year students. It is clear to me that Ohio State's efforts to recruit top students have been successful," remarked Smith.

Central Ohio will remain Smith's home after graduation. He plans to work with the Columbus office of Jones, Day, Reavis & Pogue after preparation for the bar exam. He looks forward to the firm's rotation program, and the opportunity to gain exposure to many different areas of law.



## DECEMBER HOODING



Graduates Gloria Bowman Washington, Marianne Mitchell, John Sheppard, Heidi Johnson-Wright, Matthew Seyfang and Shila Fletcher Stoner

**P**oinsettias added a touch of holiday cheer to the Hooding ceremony conducted on December 16 in the Moot Courtroom. The ten candidates for the Juris Doctor degree were:

*Gardner Jerry Combs  
Heidi Johnson-Wright  
Robin Edwina Lampkin  
Gregory Charles Luke  
Marianne K. Mitchell  
Gregory Allen Price  
Matthew George Seyfang  
John Bolling Sheppard  
Shila Ann Fletcher Stoner  
Gloria Bowman Washington*

**Patrick M. Dukes, LIII**, welcomed the graduates, faculty, and guests as President of the Student Bar Association. He spoke of the importance of considering the "road not taken" and challenged the graduates to take the personal and professional risks which will best serve the legal community.

**Dean Francis X. Beytagh** added his welcome and introduced the hooding speaker, **Robert M. Duncan, '52**, a former United States District Court Judge and partner with Jones, Day, Reavis & Pogue. He spoke about the challenges each new lawyer will face as a member of the legal profession and as a responsible member of society. Choices and

responsibilities will not be easy to discharge, but he cautioned young lawyers that the demands of the profession should be balanced with support for your family and community. He also encouraged the graduates to join increasing numbers of alumni who give back to the College to enrich opportunities for students that follow.

**Professor Louis A. Jacobs** presented remarks on behalf of the faculty. He described the pride each faculty member feels on commencement day, having watched the students grow from awestruck first-year students to confident, competent legal professionals. He then assisted Dean Beytagh and **Assistant Dean Joanne Wharton Murphy '58** in investing the purple hood of the Juris Doctor on each participant.



Hooding speaker Robert Duncan '52 poses with graduates.



### 1989 Graduates Accept Judicial Clerkships

In the past several years, the College of Law has encouraged its graduates to seek judicial clerkships upon graduation, and has actively assisted them in obtaining these positions. The following is a list of the members of the Class of 1989 who have obtained judicial clerkships:

#### **Rachelle Cohen**

U.S. Court of Appeals for the Ninth Circuit/Reno, Nevada  
The Hon. Proctor Hug, Jr.

#### **Debra Colacci**

U.S. Bankruptcy Court/Columbus, Ohio

The Hon. R. Guy Cole

#### **Peggy W. Corn**

Supreme Court of Ohio/Columbus, Ohio

Justice Craig Wright

#### **Philomena M. Dane**

U.S. District Court for the Eastern District of Pennsylvania/  
Philadelphia, Pennsylvania  
The Hon. Louis H. Pollak

#### **Debra Ann Dixon**

Office of Immigration Judge,  
Executive Office of Immigration  
Review/Chicago, Illinois

#### **James W. Harshaw, III**

U.S. Court of Appeals for the Third Circuit/Wilkes-Barre, Pennsylvania

The Hon. Max Rosenn

#### **Douglas Jennings**

Tenth District Court of Appeals of Ohio/Columbus, Ohio

The Hon. Archer E. Reilly

#### **John W. Kennedy**

U.S. Bankruptcy Court/  
Youngstown, Ohio

The Hon. William T. Bodoh

#### **Marion H. Little, Jr.**

U.S. District Court for the Southern District of Ohio/  
Columbus, Ohio

The Hon. Joseph P. Kinneary

#### **Todd McKenney**

U.S. District Court for the Northern District of Ohio/Akron, Ohio

The Hon. David D. Dowd, Jr.

#### **Jeffrey A. Moyer**

U.S. Bankruptcy Court/Grand Rapids, Michigan

The Hon. James D. Gregg

#### **John R. Paliga**

U.S. District Court for the Northern District of Ohio/Toledo, Ohio

The Hon. John W. Potter

#### **Roxanne O. Peach**

Franklin County Common Pleas Court/Columbus, Ohio

The Hon. Michael L. Close,

The Hon. Dale A. Crawford

#### **Lawrence D. Pollock**

U.S. District Court for the Southern District of Ohio/  
Cincinnati, Ohio

The Hon. Carl B. Rubin (Chief Judge)

#### **Kimberly R. Strong**

Third District Court of Appeals of Ohio/Lima, Ohio

The Hon. Thomas F. Bryant

#### **Andrew G. Sykes**

U.S. District Court for the Western District of Pennsylvania/  
Pittsburgh, Pennsylvania

The Hon. Maurice B. Cohill (Chief Judge)

#### **Teresa A. Villareal**

Third District Court of Appeals of Ohio/Lima, Ohio

The Hon. John R. Evans

#### **Jack W. Whitesell**

U.S. Court of Appeals for the Sixth Circuit/Cleveland, Ohio

The Hon. Robert Krupansky

#### **Susan E. Wuornien**

U.S. District Court for Alaska/  
Anchorage, Alaska

The Hon. Andrew J. Kleinfeld

### Wantuck Wins ASCAP Prize

Congratulations are in order for **Michael Sissine Wantuck, LIII**, who was recently awarded the \$500.00 First Prize in the Nathan Burkan Memorial Competition at The Ohio State University College of Law. The award was announced in August 1989 by Morton Gould, President of the American Society of Composers, Authors and Publishers (ASCAP). The winning essay is entitled, "Colorization and Copyright: Judicial Discomfort with the

Absence of an American Moral Right."

The Nathan Burkan Memorial Competition is sponsored annually by ASCAP in memory of ASCAP's first General Counsel, who died in 1936. The awards, designed to stimulate interest in the field of copyright law, have been traditional at ASCAP since 1938.

Wantuck will also be considered for one of five National Prizes, ranging from \$500.00 to \$3,000.00.



Professor Halpern, copyright law scholar, Michael Wantuck and Dean Beytagh.

## IN THE SPOTLIGHT

**T**his installment of alumni "In the Spotlight" features two graduates who have accepted the challenges of the world of international politics. Each has written a personal account of their adventures for publication in the *Law Record*, and the editor thanks them for their efforts.

### *Illusory Freedom*



Mitchell Dudek '89

**Mitchell Dudek** is a 1989 graduate of the College of Law. He has a B.S. and an M.B.A. from Texas A&M University. This past spring he was a student at Beijing University and an eyewitness observer of the short-lived pro-democracy movement. He has taken classes at six different Chinese universities over the past five years and speaks Mandarin Chinese. These skills led to his employment as an interpreter for CBS Evening News covering the unfolding events in Tiananmen Square. He shares some of his observations and experiences.

"Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration."  
- **Constitution of the People's Republic of China, Article 35.**

As an interpreter for CBS News in Beijing during the recent pro-democracy movement in China, I spent long hours on Tiananmen Square speaking with student leaders. I remember Liu Xiao Bo, a young Beijing professor and primary adviser to the protesting students, explaining that what China needs is not so much a new government as a government that

gives people the democracy and freedom already delineated in the Chinese Constitution. "You see, Mitch, we are not so much interested in replacing our leadership as we are in simply forcing the government to follow the system that they have already created," he said to me in Chinese from the Beijing hotel where he and other student leaders were in hiding. "If we replace the dictator, we will still have a dictator, albeit a new one. No, what we need is freedom of the press and freedom for the masses." Liu Xiao Bo is now in a Chinese prison and has been labeled the "Black Hand" over the movement by the authorities for his public speaking. I can only pray that he will live long enough to see his ideas realized in China.

In mid-May, after the protests had gone on for nearly a month, I spoke with one of my old law professors from Beijing University about the slogans and chants of the people as well as the thoughts of the student leaders. He had been too afraid to go to Tiananmen Square for fear of losing his job, but was very excited that the Chinese people were beginning to take hold of the idea of a country governed by law rather than the thoughts of the current leader. He believed even if the movement was not successful at this time, the people's minds have been opened to the idea of freedoms protected by the government and ultimately those freedoms would be realized.

During the several months of the pro-democracy movement I virtually lived with camera crews at Tiananmen Square—except when we would make daily visits to such interesting events as tank processions in Beijing's western suburbs, armored personnel

carriers' thwarted attempts at entry into the center of Beijing, or people power blockades aimed at stopping all troop (as well as their AK 47's) movements into town. I saw a kind of bravery and love for freedom I am sure would have brought tears to the eyes of Washington or any of America's founding fathers.

As I sat atop the Hero's Monument in the center of Tiananmen Square on the first night of martial law and looked out at the 500,000 or so Chinese quietly, almost eerily, waiting for troops to enter the square, I was taken by their willingness to sacrifice everything, including their own lives, in order to bring freedom and democracy to their country. I remember asking one Chinese naval academy student, who had become a good friend of mine over the duration of the movement, what would happen if the troops actually moved on Tiananmen Square that night. He replied with a tear in his eye, "We will die here." As I looked at my friend, his mouth and nose covered with a gas mask and his hands covered with rubber gloves in order to avoid burns from the expected initial attack of gas, I could not help but think that he was one of the bravest persons, if not *the* bravest person, I had ever met.

Did my friend die in the massacre? I doubt if I will ever know. But I do know the Chinese people have genuinely grasped hold of the idea of freedom and democracy and no government can contain those ideas forever.

*Mitchell Dudek has not been deterred from his goal of mastering the Chinese language, culture and laws. He is currently studying law in Taiwan and looks ahead to a legal career representing U.S. and other foreign clients interested in trade and business contacts on the mainland. Despite the present curtailment of foreign business enterprise, Dudek believes the future is promising for a person with his education and experience.*

## The Rome Project



Adrienne Lalak '78

**Adrienne C. Lalak** graduated from the College of Law in 1978. She is a partner with the Cleveland, Ohio firm of Kahn, Kleinman, Yanowitz & Arnson, maintaining an active litigation practice.

"POSITION AVAILABLE: An international refugee relief organization is looking for an experienced litigator to spend two months working in a desperately overcrowded office in a major European capital handling applications for refugee status and motions to reconsider the denial of such applications. Russian-speaking client base numbers approximately 10,000. Successful candidate will handle 100+ pending motions and backlog of approximately 1000 cases and also have training responsibility for existing staff, which have no legal training and primarily speak Italian. No word processing, computer capabilities or library. Some secretarial assistance available; prefer candidate with typing skills. SALARY: Small subsidy. Modest housing and round trip air will be provided to the successful candidate. Reply in confidence to..."

As far as I know, this advertisement has never appeared in any newspaper in the United States. But the job did exist, and on April 14th I arrived in Rome, Italy to fill it.

All lawyers have their own amusing stories about being in either the wrong place at the wrong time or the converse. This is mine.

Last February, I went to Rome to help a Russian Jew, with whom I had become friends during two previous trips to the Soviet Union, obtain a refugee visa for emigration to the United States. Misha had found himself in the same predicament as many other

Soviet Jews who had finally been granted permission to leave the Soviet Union as a result of new policies instituted by Mikhail Gorbachev concerning freer emigration of Jews to the West.

However, just as the "doors" started opening in Russia, they began to close in this country. Last summer, then-Attorney General Edwin Meese had instructed the Immigration and Naturalization Service (INS) to begin requiring Soviet Jews to prove—by American evidentiary standards—they had either suffered actual persecution as a result of their religion or had a "well-founded fear thereof." By late 1988, the INS office in Rome, which receives the overwhelming number of refugee applications from Soviet Jews because it is a regional refugee processing center in Europe, had begun rejecting numerous applications. The Hebrew Immigration Aid Society (HIAS), a volunteer agency historically responsible for shepherding Soviet Jews through the administrative labyrinth at INS, had protested the change in the Administration's policy but had done nothing at their Rome headquarters to gear up to handle cases in what had become an adversarial environment. My friend Misha, caught in the nightmare, called me from Rome hysterical.

I did what any good lawyer would have done: I looked at the INS regulations and determined that Motions to Reconsider and/or Reopen could be submitted to INS on the basis of affidavits corroborating the claimed persecution. Within two weeks, I had 22 affidavits; Misha had been a well-known Hebrew teacher in Leningrad, had actively solicited visits from American Jewish activists traveling in the Soviet Union and was, in fact, well known to the United States State Department as a Jewish dissident. I sent the affidavits to INS in Rome and planned my trip, thinking that a visit by an American lawyer would make an

impression on INS officials. By the time I left for Rome, I had seven other cases that had come to me through the pipeline of concerned human rights activists in the United States. My February visit to Rome was a success—due to several meetings at INS and further correspondence with INS officials upon my return, all eight cases were ultimately approved for refugee visas.

I thought this adventure was over, but I was wrong. Upon my return to the United States, I was besieged with telephone calls from other families and friends of hopeful Soviet emigres who were also refused refugee visas.

In March, I was invited to Washington, D.C. to meet with leaders of national Jewish organizations to explain how I had succeeded where HIAS was failing, and to participate in Congressional briefings sponsored by the Committee on Security and Cooperation in Europe (also known as the Helsinki Accords Committee), chaired by Senator DeConcini.

Most importantly, I was asked to prepare a proposal for an emergency legal advocacy project to be launched in Rome to tackle the ever-mounting numbers of cases for which Motions to Reopen were needed. (Since my return from Italy in early February, the so-called "refusal" rate had climbed steadily, and by April 1989, a staggering 40% of all refugee visa applications made by Soviet Jews were being rejected.)

I sat in my hotel room and drafted a proposal. Once refined, the proposal was circulated. By mid-March, the handwriting was on the wall: both the Union of Councils for Soviet Jews, one of the leading advocacy organizations in the United States, and HIAS *itself* wanted *me* to move to Rome. I demurred. I waffled. I protested. I looked at my desk, my trial calendar, my plants, my bank account. I looked at my fellow partners. My partners looked back. They nodded. They took over my cases. They promised to send me



the minutes of partners' meetings by Federal Express and wished me well.

HIAS's Rome office was exactly as advertised, as was the case load. With the invaluable assistance of a young woman from San Francisco whom the Union of Councils for Soviet Jews had sent to Rome to be my executive assistant, we tackled the case load. In early May, the first of several volunteer lawyers from the United States arrived; they came from Cleveland, where the local Jewish Community Federation was an active proponent of the "Rome Project," and from New York. (Since my return to Cleveland in late June, numerous other lawyers from the Cleveland area, as well as from New York, Minneapolis, San Francisco and Boston, have all volunteered to spend their vacations working at HIAS.) We worked 12 or 14 hours a day reviewing files; making requests of volunteer lawyers and agencies in the United States to obtain corroborative affidavits from applicants' stateside friends and family members; meeting with and comforting applicants during interviews and otherwise. I met regularly with Robert Eddy, the Officer-in-Charge at INS, to discuss cases and present humanitarian pleas in situations where serious health problems required special consideration. The ever-growing community in Ladispoli, the Roman suburb all but taken over by Russian Jews, sent a delegation of leaders to meet with me on a biweekly basis. In our "spare time," we installed a computer-based case tracking system and trained dozens of case workers in the fine arts of witness preparation and client interviewing.

Slowly but surely we chipped away at the case load, celebrating victories (such as obtaining a refugee visa for the man who had been forcibly tattooed with crosses on his legs as retaliation for being circumcised) with wonderful cups of cappuccino or bottles of excellent red wine (depending on

the time of day when INS called) from the bar downstairs. We agonized over the cases I knew, as a lawyer, could not be won because of the absence of corroborative evidence or the direct submission to INS by anxious stateside relatives of inconsistent or flatly incorrect affidavits. We scoured our brains and experiences for ways of solving complex evidentiary problems.

When I left HIAS on June 14th, many questions remained unanswered, including what would happen to the 10,000 or so other Russian Jews—my clients—whom I had to leave behind when I returned to the almost decadent luxury and order of a normal trial practice in the United States. But every so often I receive a fax from HIAS Rome saying something like:

"Your motion in the Kaplan case was just granted. Family proceeding to NY before end of month. Ciao..." Or a family member in this country will telephone me to share the news. And as soon as I recover from the excitement of knowing that, as a lawyer and a human rights activist, I have made a difference in the lives of people who had no advocacy until the "Rome Project," I do the only logical thing: have another cup of cappuccino.

(Post Script: The United States government has revised emigration procedures with the result that all new applications are accepted and processed in Moscow. They already have applications now which, if granted, would use up all of fiscal year 1990's allocation of refugee slots (50,000).)

### Alumni Enjoy Fourth Golf Outing

**A**lumni and friends of the College of Law defied the omens to tee off for the Fourth Annual College of Law Golf Outing on Friday, October 13. 75 degrees and breezy, the weather seemed more like October in Florida than Ohio.

After a beautiful afternoon, the scores were tallied and the following lucky alumni were in the prize pool:

Low Net .....	Bill Grim '74
Low Net Runner Up .....	Bob Winningham '54
Low Gross (Tie) .....	Bob Watkins '53 and Mike Mahoney '72
Best Female Player .....	Mary Ellen Fairfield '73
Closest to Pin on #4 .....	Ray Cunningham '50
Longest Drive on #10 .....	Carl Smallwood '80
Longest Putt on #15 .....	Frank Bazler '53

Next year's Outing is planned for Columbus Day, October 8, 1990. We hope this will enable still more of our alumni to get in one last game before hanging up the clubs for the winter. Please feel free to contact Dean Joanne W. Murphy or Jenifer Bernard Rasor with questions, comments or ideas.



Golfers in the prize pool, left to right: Watkins, Fairfield, Bazler, Grim, Winningham, Mahoney and Cunningham. (Not pictured is Smallwood.)

## CLASS REUNIONS REUNITE FRIENDS

Fall is an exciting time on the OSU Columbus campus with returning students, tailgate parties, football games and alumni activities. With the support of class coordinators the Office of Alumni Relations organizes some nine to ten reunions annually, primarily during the fall. Over 1,000 alumni in nine graduating classes were contacted over the spring and summer and encouraged to share some OSU activities and memories at fall reunions. The College is grateful to those who expressed their continuing interest in associations with former classmates, friends and faculty.

### *Class of 1939*



### *Class of 1949*



### *Class of 1954*



### *September 16*

The weekend of the Annual Alumni Return, four classes organized reunion activities. Special celebrations and recognitions were in store for the **Class of 1939**, who gathered at the Great Southern Hotel for their reunion dinner on Saturday, September 16. Coordinators were **Ruth Kessler, John S. Mitchell, Paul F. Ward** and **George D. Young**. Ohio classmates welcomed **Wilford H. Heaton** from San Antonio, TX and **Bernard S. Schrager** from South Bend, IN. Dean Beytagh honored each of the 17 reunioners with a Fifty-Year Certificate and gave a toast for many more returns.

The **Class of 1949** joined the 50 year celebrants at the Great Southern Hotel the same evening. Eighteen class members and spouses from around Ohio enjoyed an evening of recollections and good conversation.

On the north side of Columbus, two class reunion groups gathered at the University Parke Hotel. **John M. Adams** and **Stan B. Schneiderman** helped organize and plan a successful **Class of 1954** reunion for 28 classmates plus their spouses. The events of the evening were recorded by videotape and subsequently made



available to all classmates. Two classmates, **Robert E. McGinnis** and his wife Jane and **Maurice Lewitt** and his wife Kim, returned from California to see friends and revisit Columbus.

The excited greetings of friends of the **Class of 1984**, celebrating their first class reunion at the University Parke Hotel as well, were heard throughout the evening. Reunion organizer **Karen Riestenberg Brinkman** was successful in turning out 80 classmates, spouses and friends for the event. Classmates returning from out of state included **Brent D. Benjamin**, Charleston, WV, **David H. Braff**, New York, NY, **Judy Monastra Davis**, Fort Wayne, IN, **Robert W. Dibert**, Louisville, KY, **Anne M. Donnelly**, Brooklyn, NY, **Paul T. Hoying**, Charlotte, NC, **Eric F. Kleinfeld**, Washington, D.C., **Olinda Moyd**, Washington, D.C., **Pierre W. Priestley**, Chicago, IL, **Neil P. Stern**, Chicago, IL, **Karen S. Timko**, Pittsburgh, PA and **Brent A. Titus**, Lansing, MI.

### October 14

Three classes decided to hold their reunion on the evening of the OSU v. Indiana football game. The classes spread out in various locations. The **Class of 1964**, coordinated by **Duke W. Thomas**, met for dinner at the Columbus Athletic Club. 24 classmates plus spouses enjoyed an evening of stories, catch-up and a good party. The traveling contingent included **Peter G. Eikenberry**, New York, NY, **Albert S. Tabor** from Houston, TX, **Donald R. Wheeler**, Towaco, NJ and **Janice E. Wolfe**, Alexandria, VA.

The **Class of 1969** produced another successful reunion through the efforts of **David S. Bloomfield**, **Michael G. Long**, **Jack R. Pigman** and **Walter W. Reckless**. The group held a brunch at the Faculty Club prior to the football game and then the old gang gathered at Schmidt's Sausage Haus for an informal buffet. The Class of 1969 "In Retrospect" was presented by

### Class of 1984



### Class of 1964



### Class of 1969





David Bloomfield, as an humorous reminder of the movies, music, people and events of the late 1960s. Over 40 classmates, many with their spouses, came from around Ohio to enjoy the reunion. **Lee I. Turner** and his wife, Sue, drove south from Southfield, MI for the occasion.

The **Class of 1974**, with the special efforts and attention of **Susan Garner Eisenman** and **William A. Grim**, threw a special party at the Great Southern Hotel with hors d'oeuvres, a dinner buffet and their own 1970's D.J. music. Over 50 classmates and their spouses enjoyed the evening. **Professor Larry Herman** was their special guest. The reunion travelers were **Shelley J. Venick**, Evanston, IL, **Stephen R. Schmidt**, Louisville, KY, **Lois G. Williams**, Washington, D.C. and **Laurie A. Young**, Indianapolis, IN.

### **October 21 and November 4**

The final two reunions of the season were the **Class of 1959**, coordinated by **Albert L. Bell**, and the **Class of 1979**, coordinated by **Bruce A. Niswander**. The Class of 1959 met for dinner at the University Parke Hotel on Saturday, October 21. Twenty-seven classmates with their spouses shared the evening. They were joined by **Joseph J. Baronzzi**, Marco Island, FL, **Albert W. Eoff, II**, Alexandria, VA, **William P. Meehan**, Fort Myers, FL, **Peter P. Rosato**, Yonkers, NY and **Donald H. Waugh**, Columbia, MD.

The Class of 1979 stepped back in time on Saturday, November 4 with a party on the Street of Yesteryear at the Center of Science and Industry. A rock and roll band added a modern touch, and over sixty-eight classmates and guests enjoyed the refreshments and hors d'oeuvres while renewing old ties.

Many thanks to the coordinators and all returning alumni who made this reunion season a resounding success.

### **Class of 1974**



### **Class of 1959**



### **Class of 1979**



## CLASS OF 1939 REUNION

by Ruth M. Kessler '39

In September 1937, 123 freshman law students came from 56 different cities in Ohio and 9 cities from out of Ohio to their first day of class in Page Hall. Page Hall became their home for the next three years, and their mentors were Dean Herschel Arant, Robert Mathews, Silas Harris, Harry Vanneman, John Hallen, Norman Lattin, Robert Hunter, William Rose, Arthur Martin, and Frank Strong.

In 1937, fees were \$35 per quarter for a resident of Ohio and \$85 for a non-resident. In 1989, fees are \$1,776 a semester for Ohio residents and \$4,274 for non-residents. In 1937 the estimated expenses for a law student for one year, including tuition, were \$448 for men and \$475 for women. The difference was in the cost of dormitory rooms. In 1989 the estimated living expenses for a law student for one year is \$5,484, plus tuition.

The freshman law students of 1989 will envy the 1937 fees, but not much else. In 1937 to make a copy of a decision meant to sit down and write it long hand. There were no copy machines. To find a citation meant searching digests, casebooks or texts. There were no computerized legal retrieval systems. In 1937 the law library consisted of 40,000 volumes with little access to other legal resources. In 1989 on-line catalogs make available the material in nearly every other law library in the United States.

In 1937 there was no television, no VCR, no CD players, but for relaxation and entertainment there was "downtown" Columbus. There were the Ohio and Palace movie theatres. There was music and dancing at the Neil House and the Deshler. In 1937 drugs were aspirin or other headache remedies you took before going to class. Fast food was opening a can of soup and eating it without waiting to heat it.

But in spite of our deprived

circumstances, we did manage to have three good years in law school. In June 1939, 67 of us graduated from The Ohio State University College of Law. Now in 1989, 50 law classes later, the Law School has outgrown the "new law building." Each class and each student has contributed in their own way to the quality and current rating of the College of Law. There are now 600 law students enrolled and 37 full-time faculty. There are two law journals, moot court programs, clinical programs, joint degree programs, plus many student activity groups. Consequently the College has outgrown the current building and is planning a new addition to be completed by 1992, the Centennial of the College of Law. However, the association of law school for the Class of 1939 will always be Page Hall and the reminiscences each of us has of those days. We enjoyed sharing our memories and celebrating our continuing good fortunes on the evening of September 16.



FALL FLIGHTS

One of the priorities of **Dean Francis X. Beytagh's** administration has been, and continues to be, the further improvement of alumni relations. To this end, the Dean instituted a program of alumni meetings in conjunction with his travels to get to know our alumni on a more personal basis. "This type of informal interaction is very important to me and to the law school," stated Beytagh. "Our alumni are a vital group of professional and community leaders who provide unique

## DEAN STRENGTHENS TIES

insights into the progress of legal education."

Often accompanied by **Darlene J. Brown, Director of Placement**, or **John R. Meyer, Director of Development**, the Dean attended College-organized luncheons and/or receptions this fall in New York City, Chicago, Cleveland, Indianapolis, Washington, D.C., Miami, and San Francisco.

The gatherings have provided alumni with the opportunity to meet other attorneys in the same city as well. Some have discovered they were living a few blocks away from a former classmate and never knew it! "We would like to extend our thanks to those alumni who attended the receptions. Their interest in, and support of, the

College of Law are fundamental to the future of this institution," Beytagh remarked.

### Alumni Requests

The Alumni Office will continue to coordinate alumni activities around the travel plans of the Dean and faculty. Alumni are also encouraged to initiate contacts with Dean Beytagh or Assistant Dean Joanne W. Murphy to request special visitations and programs for College alumni in their local communities. Such combined efforts will help achieve our goal of more extensive personal communication with alumni throughout Ohio and the country.



## ALUMNOTES

'27 **Carter C. Kissell** is still enjoying one of his favorite pastimes, fly fishing, around his northeast Ohio home.

'34 **Carl C. Tucker** continues his contacts with the College as an honorary member of the College of Law National Council.

'35 **William K. Thomas** received the Ohio State Bar Foundation Award for Outstanding Research in Law or Government on November 10, 1989. Congratulations!

'39 **Edward J. Cox, Sr.** remains in private practice doing appellate work with the Columbus firm of Cox and Cox, a firm he has shared with his son, Edward, Jr., since his son graduated from the University of Michigan's law school in 1972.

**Paul F. Ward** has been inducted into the Columbus Bar Foundation.

'40 **Charles E. Connor** has kept busy, even in retirement. While in Florida for the winter, he is active in an advisory group representing migrant workers.

'49 **Russell Leach** currently serves as a judge for the Court of Claims of Ohio.

'50 **Philip R. Bradley** continues his civil litigation practice as a partner with the Columbus firm of Bradley and Farris.

**Raymond P. Cunningham** recently received the Columbus Bar Association Bar Services Award in recognition of his long history of service to the bar, including the offices of CBA and Columbus Bar Foundation president. He currently serves on the Columbus Bar Foundation board of trustees.

'51 **Richard H. Oman** is the head of the probate and trust department at Porter, Wright, Morris & Arthur in Columbus, and legal counsel to the Columbus Foundation, a nonprofit organization.

'52 **Charles E. Brown** remains a trial lawyer with the Columbus firm of Crabbe, Brown, Jones, Potts & Schmidt. One of his sons, **Jeffrey M. Brown '79**, practices with the firm as well.

**William A. Levelle**, of Athens, Ohio, has been named the District 17 Representative for the Executive Committee of the Ohio State Bar Association.

'53 **Thomas E. Cavendish** was recently elected chair of The Ohio State University Presidents Club Executive Committee. He serves as vice president of the Columbus Bar Foundation as well.

**Robert J. Watkins** passed the ceremonial gavel to classmate Cavendish after serving the maximum amount of time allowed on the Executive Committee of the Presidents Club—two consecutive terms. After 33 years with Procter & Gamble, Watkins retired in June and joined the Cincinnati office of Porter, Wright, Morris & Arthur on August 1.

'55 **Robert L. Hill**, assistant vice president of law and public affairs for the Aetna Life & Casualty Company of Hartford, Connecticut, has been appointed chairperson of the Law in the Public Service Committee of the Tort and Insurance Practices Section of the American Bar Association. Additionally, he will serve as senior vice chairperson of the Alternative Dispute Resolution committee.

'57 **Richard L. Loveland** has been elected to the Columbus Bar Foundation board of trustees for a one-year term.

'58 **John T. Brown** was recently awarded an Honorary Life Fellowship from the Ohio State Bar Foundation for dedication and service to the community and the legal profession. As a principal in the Mansfield firm of Brown, Bemiller, Murray & McIntyre, he has developed expertise in areas including negligence law, insurance, and litigation. Congratulations!

**David A. Ward**, formerly senior vice president, general counsel and secretary of Owens-Illinois, Inc., has joined the Toledo firm of Robison, Curphey & O'Connell. As counsel, he will practice general corporate law, specializing in mediation. He also serves as chair of the Ohio Supreme Court Committee on Dispute Resolution and as a member of the Ohio Commission on Dispute Resolution and Conflict Management.

'59 **Clark "Moose" Miller** is vice president/security director of Great American Bank in San Diego, California. He is also a legal instructor at the Institute of Finance Education in San Diego.

**Warren J. Smith** is chairman of the Industrial Commission of Ohio in Columbus.

'61 **Michael E. Moritz**, partner with the Columbus office of Baker & Hostetler, has been named the firmwide business area chair.



Michael E. Moritz '61

'62 **Donald A. Davis**, a partner with Arter & Hadden, has been named a Columbus Bar Foundation fellow.

**Michael R. McKinley**, Ashland County Probate and Juvenile Court Judge, was recognized in a recent *Cleveland Plain Dealer* ar-

ticle for his pioneering work in citizenship education. He and his wife, Norma, created the "Citizenship Education Instructional Guide" to encourage young schoolchildren to understand the rules of American society. Their work has been commended by the Ohio State and American Bar Associations.

**Benjamin L. Zox** is currently serving as president of the Columbus Bar Foundation.

'63 **Jacob E. Davis, II**, has been inducted into the Columbus Bar Foundation.

**Michael B. Hendler**, of Blakemore, Rosen, Meeker and Varian, took office July 1, 1989 as president of the Akron Bar Association.

'64 **Thomas J. Moyer**, Chief Justice of the Supreme Court of Ohio, was appointed by American Bar Association President L. Stanley Chauvin to the ABA Standing Committee on Dispute Resolution.

**Warren L. Udisky** published, "The Business Judgement Rule in Ohio in Connection with Change in Corporate Control," in the November 1989 issue of the *Ohio State Bar Association Corporate Counsel Section Newsletter*. He remains in active practice with Benesch, Friedlander, Coplan & Aronoff in Cleveland, Ohio.

'65 **James K.L. Lawrence** spoke on "The Employment Relationship - Compensation and Benefits" at a Cincinnati CLE program on Employment Law for the General Practitioner.

**David P. Rupp, Jr.** is the District 3 Representative to the Ohio State Bar Association Executive Committee. He is a principal with the Archbold firm of Plassman, Rupp, Hensal and Short.

'66 **James H. Bradner, Jr.** is assistant general counsel for the Alliance of American Insurers in Schaumburg, Illinois.

'67 **Gerald Office, Jr.**, former chairman of Ponderosa, has begun a new family restaurant chain, Traditions, based in Moraine, Ohio. His newest endeavor was featured in a November 18, 1989 *New York Times* article.

**Myron Shwartz** has become of counsel to Evans, St. Clair & Kelsey, Columbus.

'68 **Betsey Brewster Case** is now with the Cleveland office of Thompson, Hine & Flory.

**Jay E. Eckhaus** has joined Alfa-Laval, Inc., in Fort Lee, New Jersey, as its general counsel.

**Michael P. Graney**, of Simpson, Thacher & Bartlett, was named a fellow of the Columbus Bar Foundation.

**Michael J. Hickey** has been admitted to partnership in the Columbus office of Squire, Sanders & Dempsey. He is in the firm's labor practice area, specializing in workers' compensation law.

**Charles J. Kegler** is the new secretary/treasurer of the Columbus Bar Foundation. He is a principal with the Columbus firm of Emens, Hurd, Kegler & Ritter.



**'69** *Sally W. Bloomfield* was recently voted to the board of trustees of the Columbus Bar Foundation. She will receive the 1990 YWCA Women of Achievement Award in March.

*Jeffrey E. Fromson*, former general counsel and corporate secretary for Converse, Inc. of Boston, has returned to his hometown of Columbus, Ohio to become a partner in the law firm of Benesch, Friedlander, Coplan & Aronoff.

*Michael G. Long* has been inducted into the Columbus Bar Foundation. He maintains an active practice with Vorys, Sater, Seymour & Pease.

*Thomas J. Riley*, a partner of Riley & Lavinsky, has consolidated his practice with the Cleveland and Columbus firm of Hahn Loeser & Parks under the name Hahn Loeser & Parks, Columbus, Ohio.

**'70** *Charles F. Freiburger, IV* was elected a fellow of the Columbus Bar Foundation, much to the pleasure of his associates at Bricker & Eckler.

*J. Frederick Gatzke* accepted a labor counsel position with Motorola, Inc., in September 1988. He currently resides in Scottsdale, Arizona.

*Ronald L. Solove*, a judge of Franklin County Municipal Court, joined classmate Freiburger as a Columbus Bar Foundation fellow.

**'71** *Susan E. Brown* coauthored an article with *Amy H. Geis '88* entitled, "SEC Examines Management's Discussion and Analysis — Traditional Disclosures Do Not Measure Up," in the November 1989 issue of the *Ohio State Bar Association Corporate Counsel Section Newsletter*. In addition to her responsibilities as a partner in the Columbus office of Vorys, Sater, Seymour & Pease, Brown conducted a course on Regulation of Securities Distribution as an adjunct professor at the College of Law during the fall semester.



*Susan E. Brown '71*

**'72** *William L. Kovacs* has moved from the east coast to the west to assume his new position with the Portland, Oregon firm of Dunn, Carney, Allen, Higgins & Tongue.

*John H. Lahey* has moved even further! He is now with the Hong Kong office of Jones, Day, Reavis & Pogue.

*Alan T. Radnor*, a partner with Vorys, Sater, Seymour & Pease and adjunct professor of law at the College of Law, has been elected to the Columbus Bar Foundation.

**'73** *Stephen C. Fitch* has been named a fellow of the Columbus Bar Foundation. He is a partner with the Columbus firm of Szolosi & Fitch.

*Mary Jane Goldthwaite* has become of counsel to Schottenstein, Zox & Dunn, Columbus. Goldthwaite is a former vice president, chief administrative officer, general counsel and secretary of Chemlawn Corporation.

**'74** *Janice M. Bernard* has been named a partner with Squire, Sanders & Dempsey. She joined the firm in 1981 and is a member of the Columbus office's litigation practice group.

**'75** *Frederick M. Gittes* continues his work in public interest law with the Columbus firm of Spater, Gittes & Terzian. Recently he was elected to the Columbus Bar Foundation.

*Patricia G. Roberts* has received the Jurist Teacher of the Year Award at Wake Forest, where she is an associate professor teaching Estates, Torts, and Legal Research and Writing. Congratulations!

**'77** *Mark S. Coco* has joined the Columbus firm of Jones & Troyan.

**'78** *John W. Cook* serves as Bricker & Eckler's administrative partner, the liaison between staff and the managing partner, as well as chair of the firm's Opinion Letter Committee and coordinator of new associate orientation.

*Michael S. Crane* has become of counsel to Schottenstein, Zox & Dunn, Columbus.

*Nora E. Jones* joins classmate Crane as of counsel to Schottenstein, Zox & Dunn, Columbus.

*Kristine A. Roth* has been given a year's leave from the Internal Revenue Service to participate in a special agent-in-residence program coordinated with Cornell University Law School. As a visiting professor at Cornell, she is teaching Taxation of Partnership Income, International Taxation, and Tax Practice and Procedure. Roth has worked with the IRS since 1978, and is currently senior trial attorney with the Washington branch office where she directs all phases of litigation before the United States Tax Court. She has received special achievement awards from the IRS in 1986, 1987, and 1988, and is one of three IRS attorneys selected to participate in this special loan program. Since graduation from Ohio State, Roth has found time to earn an LL.M. in taxation from Georgetown as well.

**'79** *James H. Becht* has remained with Deere & Company since law school graduation. His current position is chief counsel to John Deere Credit Company in Moline, Illinois.

*Thomas C. Fenton* has joined First Kentucky National Corporation in Louisville, Kentucky as vice president and counsel, with responsibilities including employment relations and discrimination law, litigation, and commercial loan transactions. He was formerly a partner with the law firm of Greene

baum, Boone, Treitz, Maggiolo, Reis & Brown.

*Michael J. Fusco* is a principal with the Westerville, Ohio firm of Fusco & Ison.

*Ronald S. Kopp* was elected to a three-year term on the Akron Bar Association Executive Committee. He is a Roetzel & Andress partner.

*Melodee S. Kornacker* is of counsel to the law firm of Casey, McFadden & Winner in Columbus.

**'80** *Pamela I. Hanover* has been admitted to partnership with Squire, Sanders & Dempsey. A member of the National Association of Bond Lawyers, Hanover practices public law in Cleveland.

*Craig R. Mayton* has resigned as Upper Arlington City Attorney, and has begun private practice with the Columbus office of Reminger & Reminger. A trial lawyer, Mayton will concentrate his practice on the defense of personal injury, medical malpractice, and product liability cases.

*Carolyn S. Melvin* was recently named a fellow of the Columbus Bar Foundation. She continues her employment with BancOhio National Bank.

**'81** *Richard D. Brown* has become a partner in the Columbus firm of Denmead, Blackburn & Willard. Litigation and oil and gas law are the primary areas of his practice.

### *Alumni Directory In Progress*

Progress continues on The Ohio State University College of Law Alumni Directory, which we expect to be completed by late spring. Harris Publishing Company, our publisher for this project, has nearly concluded the process of collecting and verifying the information about each graduate that will appear in the Directory. Most of our alumnae/i have already been contacted by telephone, and this stage of production should be finished in a few weeks.

The new Directory will include information about our graduates, now numbering over 6,500, and will commemorate the College's forthcoming Centennial.

To those of you who have participated, thanks for your support. If you have not received any information, please contact the College of Law as soon as possible as the deadline is fast approaching.

**Guy L. Reece, II** was elected this past November to the Franklin County Municipal Court bench. Congratulations!

**'82 Jeffrey Fort** has left Marathon Oil Company to practice environmental law with the Toledo, Ohio firm of Shumaker, Loop & Kendrick.

**Randolph H. Freking** was named a partner in Frost & Jacobs, Cincinnati, effective November 1, 1989.

**Thomas A. Hampton** has become a partner with Yoss, Starr & Hampton in Barnesville, Ohio.

**William J. Leibold** has become a partner in the newly-formed law firm of Chernesky, Heyman & Kress located in Dayton, Ohio.

**David K. Liberati** was recently elected a partner in Sommer, Solovan, Piergallini & Liberati, a law firm in Martins Ferry, Ohio.

**David H. Meade**, a newly-named member of the Columbus firm of Isaac, Brant, Ledman & Becker, has served as state legal advisor for all Ohio MADD chapters since 1988.

**Michael M. Schmidt** was named a member of the law firm of Schottenstein, Zox & Dunn in July 1989.

**Carol L. Tenyak** has been named vice president and counsel of LaSalle National Corporation, a six-bank holding company. She has also found time to complete the M.B.A. program at Northwestern University's J.L. Kellogg Graduate School of Management.

**'83 Linda J. Fisher** has been confirmed by the United States Senate as the assistant administrator for pesticides and toxic substances of the U.S. Environmental Protection Agency. She had been assistant administrator for policy, planning and evaluation at the EPA since January 1988.

**D. Wesley Newhouse** has been named a partner in the law firm of Lane, Alton & Horst, Columbus.

**Mitchell A. Weisman**, of the Cleveland firm of Weisman, Goldberg, Weisman & Kaufman, was recently involved in a medical malpractice case with an \$8 million verdict. Apparently, this is the second largest verdict ever obtained in the State of Ohio in a medical malpractice case.

### Bosch Foundation Fellowship

To strengthen the ties of friendship and understanding between the United States and the Federal Republic of Germany, the Robert Bosch Foundation annually sponsors an intensive work/study Fellowship Program in West Germany. The program aims to provide young American professionals and executives with a comprehensive overview of the political, economic, and cultural environment of Europe, and especially West Germany.

Alumni of The Ohio State University College of Law are encouraged to contact Associate Dean Gregory M. Travaglio for more information.

**'84 Judith Monastra Davis** has been appointed assistant general counsel in the law division of Lincoln National Corporation, the nation's seventh largest holding company whose subsidiaries are engaged primarily in insurance and investment services. She specializes in the areas of computer and employment law.

**Richard G. Hornig** is employed by the law firm of Madigan & Scott in Springfield, Virginia.

**Bruce C. Lazear** has been appointed to a one year term as legal counsel to the Columbus Jaycees. He is an associate with the Columbus firm of Luper, Wolinetz, Sheriff & Neidenthal where he specializes in corporate law, including mergers and acquisitions.

**Pamela Parsons Fowler** married **Scott Fowler '84**. They live with their daughter, Lorraine Elise, in Canfield, Ohio.

**'85 Beverly J. Farlow**, former legal counsel and associate executive director of the Ohio Association of Secondary School Administrators, has joined the Columbus firm of Artz, Dewhirst & Farlow as a partner.

**Elizabeth A. Whiteside** is deputy general counsel to the environmental consulting firm of Geraghty & Miller in Dublin, Ohio. She most recently was an associate with the New York City law firm of Shearman and Sterling.

**'86 Perry M. Chappano** has returned to Columbus to practice international corporate and tax law with the law firm of Carlile, Patchen, Murphy & Allison.

**Barbara A. Farnbacher** has moved to the Ohio Public Defender Commission from the Franklin County Public Defenders' Office. Her work is primarily appellate and post-conviction criminal defense litigation.

**'87 Thomas E. Berry, Jr.**, returned home to St. Louis to practice labor law with McMahon, Berger, Hanna, Linihan, Cody & McCarthy.

**Barry L. Breslow** finished his clerkship with United States District Court Judge Howard D. McKibben in Reno, Nevada, and is now associated with the Reno litigation firm of Robison, Belaustegui, Robb and Sharp. In June 1989 he married Susanne Hauer of Linz, Austria, a fashion designer and model. He has become an avid skier, and would welcome the chance to teach any of his former classmates who would happen to be in the Lake Tahoe area.

**Monica Gfoeller** is a labor counsellor for XVIII Airborne Corps and Fort Bragg. Recently married, she resides with her husband in Durham, North Carolina.

**Jay E. Jadwin** has moved to American Electric Power, Columbus, as a member of the in-house legal staff. He will be working primarily in the real estate area.

**Anastasia N. Markakis** is an associate with the firm of Katten Muchin & Zavis in Chicago, Illinois.

**'88 Peter J. Albert** has accepted a position as a corporate attorney with Progressive Casualty Insurance Company in Cleveland.

**Jeffrey J. Helmick** is in sole practice with an association of independent attorneys, Kaplan, Richardson, Rost & Helmick, in Toledo, Ohio. He is working primarily in criminal defense and plaintiff's personal injury litigation.

**'89 Yvonne L. Blauvelt** is employed with the Columbus firm of Schrim, Henry & Greenwald.

**Marc Matlock** is serving a judicial clerkship with the Michigan Court of Appeals in Lansing.

**Kenneth H. Wine** received an honorable mention from the Inter-American Bar Association for his paper entitled, "Self-Determination and Latin America: A Proposal Seeking Inter-American Peace."

### Order of the Coif

The following graduates from the Class of 1989 have been elected to the Order of the Coif:

<b>Judith A. Clausing</b>	<b>James M. Mattimore</b>
<b>Rachelle Cohen</b>	<b>Lawrence W. Mitchell</b>
<b>Kevin T. Connor</b>	<b>Patrick J. Mulligan</b>
<b>Philomena M. Dane</b>	<b>Jack R. Rosati, Jr.</b>
<b>Michael Dubetz</b>	<b>Jeffrey S. Schira</b>
<b>Sylvia L. Gillis</b>	<b>Donna B. Owens</b>
<b>Dodd J. Gray</b>	<b>Stokes</b>
<b>James W. Harshaw, III</b>	<b>Mark S. Tibberts</b>
<b>Jonathan D. Henry</b>	<b>Robert A. Wade</b>
<b>Elisabeth A. Keller</b>	<b>Susan E. Wuorinen</b>
<b>Marion H. Little, Jr.</b>	<b>Deborah M. Yoon</b>

### IN MEMORIAM

The College of Law regrets to report the following deaths among its alumni:

Michael H. Austin '23; Peter M. Mizenko '27; Americus G. Lancione '29; William E. Bailey '31; Noel F. George '32; John M. McElroy '32; Richard Backus '34; Edward D. Harbert '36; Jack M. Parrish '36; John E. Harmon '39; Richard L. Oldham '39; Edwin R. Jonas, Jr. '40; M. William Tyrrell '42; Thomas A. White '48; Charles B. Ballou '49; John G. Beyoglides '49; Joseph S. Deutchle, Jr. '50; Andrew R. Sarisky '52; Donald A. Gibeaut '59; James J. Kozelek '62; James R. Scott '62; J. Dennis Burns '64; Robert B. Watson '76; Theodore T. Schuld '82; Sylvia S. Neff '84

The College of Law regrets to report the following deaths among its associates:

James C. Kirby, Jr., Dean from 1970-1974; Nancy Rhoden, Assistant Professor from 1982-1987; and Olive Busick, Assistant to the Dean who retired in 1966.

# U.S. SUPREME COURT ADMISSION

As announced in the last issue of the *Law Record*, the College of Law has scheduled a group admission to the United States Supreme Court for Monday, May 21, 1990. To be eligible for admission, an applicant must have been admitted to practice in the highest court of a state, territory, district, commonwealth, or possession for the three years immediately preceding the date of application, and it must appear to the Court that the applicant is of good moral and professional character. Each applicant also must currently be in good standing in the state or lower court bar from which he or she seeks admission. Dean Beytagh will move the group's admission. Participants will be required to complete applications for admission.

The admission fee is \$100.00, and checks should be made payable to "Clerk, U.S. Supreme Court." Please send an individual check for each participant to Assistant Dean Joanne Wharton Murphy, Ohio State College of Law. Checks must be received **no later than March 23** to assure adequate time to complete all paperwork. **We have a limited number of positions available for this ceremony.** Therefore, while your check is your reservation, the College of Law will conduct a lottery of all reservations received by the deadline if we are unable to accommodate all interested alumni. We will return the check of anyone we cannot accommodate.

To keep the weekend as flexible as possible for our alumni, the participants are free to make their own travel and lodging arrangements. We are in the planning stages for a reception on Sunday, May 20, and/or a luncheon after the ceremony on May 21. Please indicate your interest in these events on the registration form below.

We hope you can join us in Washington, D.C.!

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(Detach and Return)

## U.S. SUPREME COURT REGISTRATION FORM

Name: \_\_\_\_\_ Year: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Day Telephone: \_\_\_\_\_

Guest's Name: \_\_\_\_\_

Date of admission to state's highest court: \_\_\_\_\_

State through which you seek admission: \_\_\_\_\_

☐ I am interested in a Sunday evening reception.

☐ I am interested in a Monday luncheon.

SPACE IS LIMITED. YOU MUST RESPOND BY MARCH 23, 1990.





College of Law  
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